

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

Major General Votel: Hey (b)(3), (b)(6) I think you've met everybody in here.

WITNESS: Yes, sir.

Major General Votel: And I think you know who I am here. I'm here in an official capacity kind of to investigate the facts and circumstances of the hostage rescue operation up in Konar. I want to just start here. I know you've given a written statement but what we're going to do is since we do have the ability to transcribe this, we want to talk with you about just a couple of specific areas.

WITNESS: Okay.

Major General Votel: Since we've kind of kind of got a good background on everything else here. Before I get started, during the course of this interview, I will 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 now handing to you serves this purpose. I'd ask you to please just kind of review that, print, sign, and date; today being the 22nd of October.

[The witness did as directed.]

Major General Votel: Okay. We are recording. The testimony will be transcribed in a verbatim report that's part of the overall thing just like the statement you did. Please answer every question verbally. The recorder cannot pick up nods or points. Okay. Everything is on the record here. Before we go any further, I do have to remind you how important to give truthful testimony. It is a violation of Federal law to knowingly make a false statement under oath. Is he considered to be under oath already or do I need to -

LTC (b)(3), (b)(6): No, you administer the oath, sir.

Major General Votel: Okay. If you could please just stand and raise your right hand.

[The witness was sworn.]

Major General Votel: Okay. The time is now 1601 Zulu on 22 October 2010, and we are located here at Bagram Air Field. (b)(3), (b)(6) if I could please ask you to state your full name,

spell your last name, indicate rank, and duty position please.

WITNESS: [REDACTED] (b)(3), (b)(6) , [REDACTED] (b)(3), (b)(6) . I am a Colonel. I am the command (b)(6) of (b)(1)1.4a, (b)(2)High

Major General Votel: Okay. Thanks. At this time, 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 a legal counsel present, and I am not advising you of your Article 31 rights. You must answer all my questions except those that may incriminate you.

Okay. (b)(3), (b)(6) thanks for joining us here. We've talked to a lot of people. We're kind of down to the end here and we're just trying to wrap up information gaps here. And so we've kind of saved you and General Thomas here for the end just to kind of police some stuff up. We're not looking for a full rendition here. We're going to go to specific focused areas and ask you questions. I want to talk a little bit about hostage rescue versus (b)(1)1.4a, (b)(2)High in the context of this operation. We want to talk about risk assessments here and how we kind of assess this. We want to talk a little bit about ISR although we've got a pretty good picture on that now. And then I just want to touch on the post-op story board here.

WITNESS: Okay.

Major General Votel: Okay. Everything else I think we're pretty clear on. What we're going to do is I'll ask some questions and when I've kind of exhausted an area here, we'll go to the Brigadier and the UK SME and they'll ask some questions and then we'll move on to the next topic. So you kind of know what's going to go on. Hostage rescue versus (b)(1)1.4a, (b)(2)High, what was this operation in your mind? How do you describe that?

WITNESS: I describe this as a hostage rescue, sir. The primary purpose was to recover Ms. Linda Norgrove and the focus was about her, getting her back from the captors.

Major General Votel: How significant was the focus on the intelligence collection?

WITNESS: To me, the intelligence is what got us to the location. When we did Object (b)(2) High, (b)(1) several days prior, that was about going after the individual and we talked about that and make sure this is a capture mission because it will be him who would give us intelligence. We absolutely had zero expectations that she would be on Object (b)(1) 1.4a, (b)(2) High, (b)(1) we knew he was in contact with the captor so the even there was to get him to then point us in the right direction. One of the questions we had was where was she exactly in Spedara village. They talked about Spedara village. That's where Task Force Bastogne was operating at the time. They had cleared many high grounds, and we were getting some indications that she could be outside of Spedara village and that area. So we said, hey, this guy is talking very early like literally several days after the capture. We had gotten some fidelity just very partially west of the Dewagal and we discounted some of that because it can be such range when you - literally, I think we got a very fleeting on the fidelity on (b)(2) High; 1.4a so we thought hey, is there a possibility she could be out?

So we went after Object (b)(1) 1.4a, (b)(2) High get him to give us intelligence to get there. What put it together for me was on the 5 October intelligence which we didn't get until about the 7th, that that indicated that this is the captor and this is the individual who most likely has her. To me, they're irrelevant in the big picture. It is about her on going after and getting her for that.

Major General Votel: All right. Good. Thanks. That's really useful. Now I want to delve into your mind a little bit here in terms of -

WITNESS: Good luck

Major General Votel: What does - what differentiates operationally a hostage rescue from (b)(1) 1.4a, (b)(2) High? How do you differentiate that in your mind? I know you've got -

WITNESS: You do everything you can to get the hostage back versus going after the individuals that are holding her. If this was about going after the individuals, you would focus on them versus on her.

Major General Votel: Okay. The expectation then of the assault force going on the objective in your mind, what does that mean to them being hostage rescue? I mean, do you expect them to operate in a different manner than they would on one of the more often repeated (b)(1)1.4a, (b)(2)High (b)(1)1.4a, (b)(2)High operations?

WITNESS: I would in the sense that I think its increased risks to both the individual assaulter to prevent harm to the hostage and then you are going in and only eliminating those threats that you see that could - the question here was what was she going to look like? We had very early on in this that she had been dressed as a man and wearing a pashmal cap. There was one intelligence report that said she was moving around in a distasha if you will and a pashmal hat. So as she was moving, how do you then identify the target on that piece?

Major General Votel: Okay. Your point is clear to me. My next question is how did you articulate that to the (b)(1)1.4a, (b)(2)High Commander?

WITNESS: Sir, I think - every day (b)(1)1.4a, (b)(2)High where she was and (b)(1)1.4a, (b)(2)High had that but -

Major General Votel: Let me just clarify what you just said there. So every day (b)(1)1.4a, (b)(2)High that's peculiar to this kidnap situation?

WITNESS: Yes, sir. That was purely a RC East sponsored intelligence summary of where do we think she was. And, again, if we go back to Object (b)(1)1.4a, (b)(2)High I think it would be the best way to differentiate between the two. (b)(1)1.4a, (b)(2)High does no good to bring him back dead if we can't ask him any questions without - obviously you have self defense authority on these guys if someone comes out with a weapon and engages you. I don't expect guys to take rounds and not defend themselves. But for that, we wanted that individual specifically for - it kind of goes back to the - (b)(1)1.4a (b)(1)1.4a, that's specifically what it was (b)(1)1.4a, (b)(2)High For this mission, we wanted to get her back. We did talk about it would be difficult to PID differences between her if she is dressed as a man - and that came here early in the mission.

Major General Votel: Okay. I know the Task Force (b)(1)1.4a, (b)(2)High Commander has articulated previous guidance that on (b)(1)1.4a, (b)(2)High operations, the priorities are bringing everybody back, managing the IO situation, mitigating the aspects, and then capturing and killing the bad guy. How does your view on that change with this being hostage rescue versus (b)(1)1.4a, (b)(2)High?

WITNESS: I think, sir, the risk - it's really the risk to the individual. And I candidly tell it's also, it was slightly different only maybe in mind set that she was a UK citizen. It upped, I think, a little bit of the world view on going on this one and some of the sensitivities of going after her not that there is one citizen is more valued than another but I think the question arises very early on as it came up to hey, this is the mission set. If we get fidelity, we are going after this target. RC East passed down to UK military units who came up and said, hey, you guys got it on this one based on the knowledge of the location and operate in the area.

Major General Votel: I want to go long and deep on the risk here.

WITNESS: Okay.

Major General Votel: But before I do, I want to give the Brigadier an opportunity to talk about this - if you've got any questions on the hostage rescue, (b)(1)1.4a, (b)(2)High aspect here?

Brigadier Nitsch: Do you think everybody understood that? Did everybody understand that it was a hostage rescue operation?

WITNESS: The fact you're asking the question three times, I'm going to say no; but, yes, I do actually. It was a hostage rescue; everything was about Linda Norgrove on this one and going in after that. Again, in my view, I'm going after that. I mean, that's why we

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

Brigadier Nitsch: Okay.

Major General Votel: Just for the record, the other options that are available to you or to Task Force (b)(1)1.4a, (b)(2)High operating

up in that particular area given that - even if this was - you have other options available to you if this was not a rescue operation, right?

WITNESS:

Sir, if she was not part of it, we could - I mean, this was a bad guy that we were going after. And

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

calls.

Two weeks prior to that, roughly, we had done a

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

Major General Votel:

Thank you. That's what I wanted to get at there.

UK SME

Just one (b)(3), (b)(6) and this might lead into the discussion that we'll have on risk. And you and I both know that quite often the strategic guidance we get for these things is pretty vague but I think it's potentially quite important. What did you feel the strategic guidance to you was for this operation? So if I can just sort of outline some, four or five areas that might have been mentioned. Did you feel that the strategic purpose was to save her, i.e. to bring her back alive? Answer probably yes. Did you feel that there was an element of being able to hit the network that was responsible for her capture? Did you feel there was an element of sending a message more broadly that people who perpetrated this sort of crime would be punished? Or, finally, was there a sense that given that we're all focused absolutely on a really important counterinsurgency campaign here, did you feel there was an element of trying to bring this incident to a swift conclusion so that you could get back to your primary purpose of hitting the network?

WITNESS:

I'll answer them in random, in a little different order. The last one, I did not at all. The intent was once we found her because really we were

e did about

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

, some of

that was on the leadership that they had talked to, Objective (b)(1)1.4a, (b)(2)High, they had specifically

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

Going back to, and I wrote it in my statement, I assess 75 percent that she was there and the 25 percent uncertainty came from the 5 October intelligence and the fact that we didn't get it until 7 October. And that thing is one of the more clear

(b)(2)High; 1.4a

her talking about he'd killed five chickens for her, et cetera, et cetera. It took him three days - either one and a half to three days - I had them relook it on the seventh because there was some parts in there that didn't make sense to me about killing an American school or we thought that might have to do with an aid project that she was associated with so we had a better - we wanted a better translation of it to get it exactly because I felt that that is where this person was with her and that it would help (b)(2)High. Based on that, we looked at the

1.4a, (b)(2)High

they won't find me, break, break, I'm willing to hold on to her. The tribe has asked for her. They want her dead because of the locals - the fighters that had been killed in the Dewagal from Task Force Bastogne when they were up in that area and going on, they had been in some fighting. I'm not sure of the exact numbers but then they said the locals had asked for her to be killed.

When we looked at it and we sat down and we say what percent do you think she's there? I assessed 75, and, again, my 25 percent uncertainty came from

really the time of the intel and the time of the action.

When you talk risk, I think the higher risk became the location we were going and then risk to her - the highest risk during any hostage rescue -

UK SME But did the overriding strategic purpose as you understood it was simply to save her life?

WITNESS: Yes.

UK SME Okay. And was that articulated to you by anyone, or was that your reading of the situation?

WITNESS: I think anybody would look at it that way if you think that she is there. When you look at here is the intelligence, she is there. Because what we did,

(b)(2)High, 1.4a

(b)(1) 1.4a, (b)(2) High They had commandos and they had the SF group and they had two entire battalions from Task Force Bastogne's Brigade were literally out there. We'd say, hey, you're from (b)(1) 1.4a, (b)(2) High here's a map track to Spedara. We've got a picture of ourselves standing on that house. He's talking about a cave when she would be next to it. So they sent guys back out and they stayed out there the entire time so in our mind also - this thing was ongoing. This wasn't like - we talked even to the UK about that that we ask for trigger - if we refined it down to a location, we were going to come for approval authority to do a rescue mission of her. Everything else was already going on. They were trying to find her when they were going throughout the Dewagal Valley, in the mountains, I mean; they surrounded Spedara Village and went through every single house in Spedara Village. That is attempting to look for her. I would call that a hostage rescue mission per se but that mission was already ongoing and it was not until we got enough refinement on the intelligence that we would launch and that we felt there was enough certainty that she was there.

Brigadier Nitsch: Did you ever think, actually, there was anything other than military solution to this problem?

WITNESS: I think they could have negotiated their way out of it possibly with the tribal elders. One of the things that Bastogne was working was the village elders made a comment to them that, hey, we thought you'd leave. We thought you'd come in, waffle stomp around a little about for about a day or two, and then you would leave. And the IO message sent from RC East and Task Force Bastogne is we are here until she is found. So that message was very loud and clear, so what they were doing is they were also trying to work the village elders to get her to release and they were not making headway on that based on the discussions that -

Major General Votel: Of the intel? That kind of gets summarized in the intel.

WITNESS: Yes, sir.

Major General Votel: There doesn't appear to be -

WITNESS: They said, hey, they can ask me, I'll keep her for up to a 100 years was the intel.

Major General Votel: Brigadier?

Brigadier Nitsch: No, it's great, thanks.

Major General Votel: Okay. Set another way of what kind of what the UK SME just asked you here, the development of the mission, I mean, nobody, General Petraeus and General Campbell at RC East commander aren't turning to you and telling you, go to (b)(1)1.4a, (b)(2)High That is more developed. You are telling them, hey, we have an opportunity right here based on this information. This is a good opportunity. I think there is a high chance that she is here based on our assessment of this and we should go after this.

WITNESS: A great person to talk to would be General Townsend. It was, hey, what do you bring to the fight? We said if we think we can refine down her location that is where we think we are the value added in this. And that we'd go around every time - one thing, we also were very value added is our intelligence apparatus, and analytical capability to find those that around, that's what we do. We hunt men and we track them and we try to refine a location for being able to go on

to a target. As we were going through this, our point all along was if we can neck it down to a [redacted] tion, that's when RC East said we are going to TF (b)(1)1.4a, (b)(2)High action this based on that.

Major General Votel: Okay.

WITNESS: On the morning of the seventh, we took the intel down and that's when we had it and we - it was a Friday morning and we talked to General Petraeus in our normal morning update, handed him that, and he said, hey, do you have - it was actually a Thursday was when we first got the intel. The morning of the seventh because we acted on the morning of the ninth, evening of the eighth. When we first got it, we had it pinned to that thing. We looked at hey, do we do a (b)(2)High, 1.4a on this that night - it would have been the seventh so it would have been the night of the seventh.

We were not comfortable with all the options we had. I wanted to go in offset but we looked at every possible way getting in there with the early warning and the distances involved to flying in helicopters

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

(b)(1)1.4a, (b)(2)High and develop the situation - and the big concern was CASEVAC HLZs. And as you saw on the final one, we literally [redacted] (b)(1)1.4a, (b)(2)High [redacted] (b)(1)1.4a, (b)(2)High to be able to confine - to reduce some of the risk associate with the mission. There was risk obviously to the mission, to her, and to the force going in. So to do that, we watched for another (b)(1)1.4a, (b)(2)High we put [redacted] (b)(1)1.4a, (b)(2)High [redacted] (b)(1)1.4a, (b)(2)High and you've seen the daylight video of it. You can see the Afghan Males and we got our slant count, men, women, and children on target, and it was pretty accurate to what was actually found on target.

All along we were assessing most likely the 11 or 12 if she was in a building but there was some discussion of she could be held in a cave and Objective (b)(1)1.4a, (b)(2)High, said she would most likely not be held in a house. So we said, okay, we have to be prepared to go into these houses and then

immediately expand the search and then we had a QRF that went on the target. We had a QRF element that was prepared to come in and (b)(1)1.4a, (b)(2)High in behind to continue to expand out the search and we were prepared to stay there for as long as possible and then Task Force Bastogne had an element. They were going to move in and fly up to the north of it at about 11,500 feet and block one of the mountain passes that they had in the event as we're flying in, they get on it, donkeys or whatever, and they are heading up the valley. We're obviously not going to bomb them but be in pursuit and the ability to put someone into those blocking positions there.

Major General Votel: And finally, before we move to the next topic on this one here, and this might be more procedurally how you're working with the Task Forces. Do you give them specific missions, tasks, or are they deriving that stuff from what they're doing?

WITNESS:

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

(b)(1)1.4a, (b)(2)High We brought that, we flew it down from Task Force (b)(1)1.4a, (b)(2)High with all the operators. (b)(1)1.4a, (b)(2)High (b)(1)1.4a, (b)(2)High. So we continued to allocate but their primary mission was to locate Linda Norgrove because we assessed she was in the Dewagal Valley still or west of it.

Major General Votel: But in general for CONOPs or normal CONOPs coming up,

1.4a, (b)(2)High

WITNESS:

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

1.4a, (b)(2)High

Brigadier Nitsch: Can I just ask in your experience where you would expect the mission to first be expressed then? At what stage in the command structure would you expect a clear expression of the mission or do you think in this environment that actually it's not necessary?

WITNESS: In regards to Ms. Norgrove?

Brigadier Nitsch: Yeah.

WITNESS: I think it was crystal clear from day one the mission guidance.

Brigadier Nitsch: But actually when you get down to the orders for the execution for Objective (b)(1)1.4a, (b)(2)High at what level would you expect a mission to first be captured and expressed -

Major General Votel: A mission statement.

Brigadier Nitsch: -- a mission statement.

WITNESS: Well I think if the mission intent is given here and then we all pour the resources towards it but the

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

Major General Votel: Okay.

Brigadier Nitsch: So would you have expected the mission that (b)(1)1.4a, (b)(2)High had would have said the mission is to rescue Ms. Norgrove?

WITNESS: I do.

Brigadier Nitsch: Just as clearly as that?

WITNESS: As clearly as that.

Major General Votel: Okay. Good. Thanks. Hey (b)(3), (b)(6) I want to push on and to talk a little bit about risk here.

WITNESS: Okay.

Major General Votel: And let me just start by asking you to kind of articulate how you characterize the overall risk for this operation in terms of kind of almost as we would talk about in terms of a composite risk assessment where you're going from low, moderate, high -

WITNESS: I assessed this as high risk, sir, for two things.

Major General Votel: Meaning it was the very highest level or -

WITNESS: Sir, I think it could have been higher. Had we seen



by the time they had closed on the locations. Does that answer the question, sir?

Major General Votel: It does. It does quite completely actually and thank you for that for laying that out. Now, again, I want to keep focusing on that. Talk about how the risk

discussion takes place with Task Force (b)(1)1.4a, (b)(2)High mean what the mechanism? I mean, I've looked at the CONOP. I don't see a risk slide in there.

WITNESS: Yes, sir.

Major General Votel: What I'm trying to understand is what's the process by which you and the Task Force (b)(1)1.4a, (b)(2)High commander have the same discussion that we just had?

WITNESS: Sir, we talk on the phone several times a day. For this specific one, we've been having the daily discussions. When it came down to (b)(1)1.4a, (b)(2)High we had (b)(1)1.4a, (b)(2)High had a briefing on the seventh and we said, hey, we think we have our location at this - that's when we first got our fidelity on the intelligence up there on the seventh and we talk a lot of the risk focused on how do we get in. So areas to mitigate that, we talked about (b)(1)1.4a, (b)(2)High

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

time. We know that. We've done thousands of raids. We know that just based on the fact that at about two minutes out, depending upon if they think they're being tracked and I show you - we also look at what's

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

the ground based on the terrain. That discussion happened on the seventh. On the eighth, we took our first back brief and we were talking, a lot of us was what can we do to reduce the risk of early warning? So to reduce the risk of early warning, we used the

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

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

(b)(1)1.4a, (b)(2)High. Those are areas where we can reduce the risk, that's also reducing the risk to Ms. Norgrove because we are reducing the early warning of the insurgents, whoever is the captures that were with her.

Major General Votel: Okay. So kind of in other words, I mean, there isn't - I'm just kind of confirming what I think I already know here. I mean, there are multiple risk discussions taking place throughout the planning phase but it isn't being documented or anything else?

WITNESS: No, sir. I mean we do it every night when we're doing the CONOP piece. We'll talk, hey, not comfortable going to the X on this or the Y on this, that area. And it also comes from the aviators, sir, when they're doing their (b)(1)1.4a, (b)(2)High we're looking at it and they'll - what they do is a small

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

in there. We look at ways to mitigate that when we're going in. The same thing on any target if we can go in offset but then you run the risk of how much do you have to get to the target.

Major General Votel: Okay. Based just on last comment based on your last several months here, where does Konar fit in the overall taxonomy of risk to aircraft?

WITNESS:

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

Major General Votel: Okay. Good. And then what was your assessment that Ms. Norgrove - let me state this a different way, presuming the assault force gets onto the objective. They get onto the X. They start moving in there, what is your assessment that she would - what is your assessment that the enemy would kill her before we got to her? How likely in other words was scenario to you?

WITNESS:

Sir, the only thing we discussed was would she put - the hope was that she would be in a separate place so that they would not be right next to her so that when on target, she's either in the cave, somewhere close by, a sheep pen. Did not assess she would be in the same room just based on cultural norms of the Afghans that she would be put in the same room as a bunch of men at the same point. Now in this one, I don't know if - I can't see the other side of the ISR where they came in. Did they come in and grab her? They all come out of that 25. The assessment right now is yes. So the hope was that she would be in a separate room and then you could isolate the captors from her. The fact - the only thing in the intelligence that indicates they have 21 suicide bombers ready to or guys ready to fight to the death but I don't know what that actual translation is but in there it indicates that I have 21. We just didn't see that on ISR. The greatest concern was that she would be moved to Adelron, Akelisfel, these are you (b)(1)1.4a, (b)(2)High (b)(1)1.4a, (b)(2)High and then she's on the move - she makes it to the - there was a lot of discussion of her in the Korengal. If she makes it to the Korengal, that changes the dynamic completely. Our assessment that it would be very

(b)(6) (b)(3), (b)(6) (b)(6) (b)(1)1.4a, (b)(2)High

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

valley going into the valley and it changes the whole enemy set.

Major General Votel: So just to summarize there and that's a very good layout. I appreciate that. But to summarize, you assessed that they threat that they would kill her was not likely?

WITNESS: I assessed it as lower in the threat force. In one he talked about in one of the things, hey, she's learning the prayers and she was Muslim. I think the advantage we had is that she was Muslim and they viewed her as a Muslim not as an infidel. But at the same point in the same intelligence they talked about killing her and putting her on the side of the road. I think there was a little bit of bravado in there. If they don't listen to our demands and I think I can get some people released for her then if not, I'll kill her and put her on the side of the road. But I think in looking into their minds, my best assessment was they would not kill her based on her being a Muslim.

Major General Votel: Okay. Did this discussion that we're having right here occur between you and the (b)(7)(F), (b)(1.4a), (b)(2) Commander or (b)(7)(F), (b)(1.4a), (b)(2) High

WITNESS: Sir, we had talked about just on the phone, we'd talk about what do we think the assessment is of the whole process.

Major General Votel: And what do you think his assessment was on this last topic?

WITNESS: That he would kill her? I don't think it was as - mine was probably the lowest I think that they would kill her.

Major General Votel: Okay. Would it surprise you to know that a subordinate leader in the execution chain here considered that risk extremely high, like around 85, 90 percent that she would be killed? Would that surprise you?

WITNESS: It would surprise me in the sense, sir, only that - I mean I 50/50 lower than 49 percent that it's that high. He thought it was - I think he said when I asked him what do you think she's there and he said

around 50 percent. I said why the difference and we talked about it. I said -

Major General Votel: You're referring to the (b)(1)1.4a, (b)(2)High Commander?

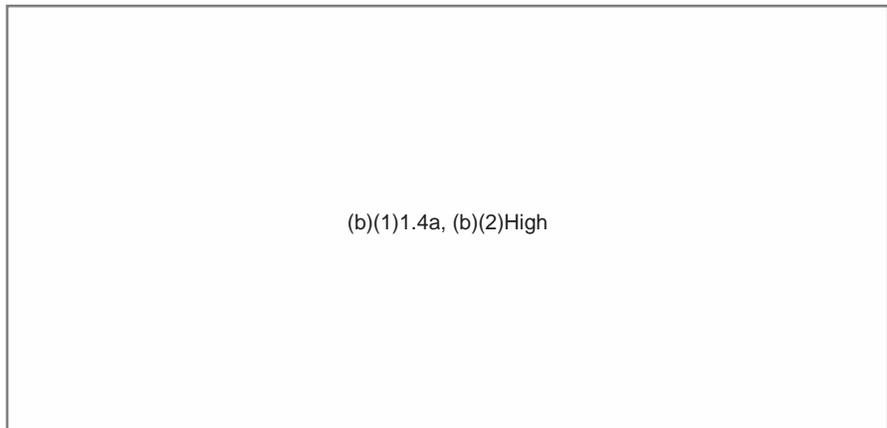
WITNESS: Yes, sir.

Major General Votel: I mean we've talked to the whole chain. I'm just asking you in general if you would be surprised, recognize that you got a leader in the chain, the direct chain to you that assessed it fairly gravely and that is 85, 95 percent chance that she would not survive because the enemy would likely kill her.

WITNESS: That would come as a bit of a surprise, sir. It would surprise me if it came from the (b)(1)1.4a, (b)(2)High Commander because that's who I was talking to.

Major General Votel: Okay. Any other particular concerns come up from - I mean, we've had very thorough discussions on the (b)(1)1.4a, (b)(2)High and the risk and the helicopters and all that so I think we're good with that. Did (b)(1)1.4a, (b)(2)High express any other concerns back to you that required a discussion or a -

WITNESS: I think the discussion part, sir, really was - I wanted to see is there any way we could come in on an offset so that we reduced the risk of threat to her



Major General Votel: Thanks. One more question here and then I'll go to you, Rob. I just want to confirm. I think I know the answers but I want to confirm and I want you put it on the record here. The location of (b)(1)1.4a, (b)(2)High is actually outside of the Cordon that was established by TF Bastogne.

WITNESS: Yes, sir.

Major General Votel: So is it a correct statement to say that the insurgents - the captors had moved her through the Cordon?

WITNESS: Yes, sir.

Major General Votel: They'd done it successfully at least one time?

WITNESS: Yes, sir.

Major General Votel: Okay. Rob?

Brigadier Nitsch: (b)(3), (b)(6) I've got two questions. The first one is really confirmation, who is the risk owner for this operation?

WITNESS: I think it's all of us, sir. I mean, ultimately, it's a (b)(7)(F), (b)(1.4a), (b)(2) High operation so I assume the risk on it. But if you talk individual risk, it's the individual operator that's going on there.

Brigadier Nitsch: But the launch, the go, no go, the launch, the yes, we're going to do it risk -

WITNESS: You could go all the way up to say we're going to the UK and saying -

Brigadier Nitsch: Oh, yeah. You go up to GEN Petraeus but actually in terms of the person who was expressing the tactical risk, the person -

WITNESS: I think the tactical risk is owned by me, sir.

Brigadier Nitsch: Okay. That's brilliant. Thank you.

Brigadier Nitsch: Second question is in your discussions with (b)(7)(F), (b)(1.4a), (b)(2) High and perhaps you can go slightly further down the chain of command, what impression were you left with in terms of the weight of effort that they put up and so the risk from the INFIL and the risk on the objective?

WITNESS: I think the risk on the INFIL was a great concern based - again I have all the aviator chain of command is here so they were coming in and they were saying, hey, sir, this is very high risk mission going in, there's the (b)(7)(F), (b)(1.4a), (b)(2) High aspect of it and then we have

the numbers. I think we assessed six was the going in slant and we assumed that all six would be armed.

Major General Votel: Six military aged males?

WITNESS: Yes, sir.

Brigadier Nitsch: You had absolutely the impression that the Task Force had got beyond a fixation with the INFIL to understanding the objective?

WITNESS: And that's the extreme (b)(1), (b)(1.4a), (b)(2) High Had we just launched on the night of the seventh, we did not have a good understanding of buildings 11, 12, 23, 24, 25, 25, 27, and 28 were the primary building we were looking at. At some point they looked at it and say, there's one shack about a 100 meters to the southwest, I believe, and we said that has got to be a primary clearance but if she was put in one of those outstations, did not assess - we assessed she would be under lock in one of those locations but did not have a good feel on the seventh for what we saw and where all the movement was. We just knew that it was located in there. So then after (b)(2) High, 1.4a we saw the vast majority of the movement was at the 11 and 12 - that's where we saw the women and kids interacting and there was some interaction with the 21, 22, 23, 24, and then 25.

Brigadier Nitsch: That's fine.

Major General Votel: You good?

Brigadier Nitsch: That's fine.

Major General Votel: UK SME?

UK SME (b)(3), (b)(6) we're in the risk business here and it seems to me that there's been lots of conversation that one would expect between you and the chain of command about the individual components of that risk and what you could possibly do to mitigate it which you've explained really, really clearly. And it seems to me in this instance, you've got three key components that are going to build up the overall risk to the mission. The first one is the veracity of the location, i.e. is she going to be there? The second one is the risk on INFIL because if you don't get

onto the target, you're not going to rescue her and worse still, you might crash and alert the enemy and they kill here. And then, thirdly, there's the chances of you getting her out alive assuming a successful INFIL and assuming that you've the location right. And we've actually heard from a number of people that we've interviewed individual analysis of the risk in each of those area. So we've heard people say 50/50 that she was there. You took a slightly more optimistic view and you were right. We've heard people talk about a 20 percent chance of getting shot down in INFIL. We've heard, someone even say only a 15 percent chance of getting her out if she was there and that was wildly pessimistic compared to what else we've hear. So we've heard people talk about each of those three components.

Was there ever an attempt to - and the algorithm is probably quite complicated but was there an attempt to bring each of those three risk components together and then articulate them overall risk to the mission or put it another way, an overall percentage chance of success?

WITNESS:

I look at it as a lot of that risk was up here and some of the risk was associated with uncertainty. To reduce some of that uncertainty, we delayed 24 hours. So I think I can reduce the risk of is she there, you know your 50/50, I thought 75, General Thomas will say 85 I believe when we were talking that night. It all goes back to your experience and what you've done. So I looked at it, I can reduce that risk by delaying (b)(1)1.4a, (b)(2)High understand the target better based on that.

The aviators came in and said, hey, I am concerned on risk to INFIL. That was their piece of this puzzle. So how do we reduce the risk to that,

y i (b)(1)1.4a, (b)(2)High Y (b)(1)1.4a, (b)(2)High (b)(1)1.4a, (b)(2)High They identified (b)(1)1.4a, (b)(2)High so that -

there's a couple components to that. We've had - I don't know if you heard on that, if you've talked to

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

down on an HLZ. That was part of the looking up and

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

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

Risk to success of the mission, all of that I think really came together with we're going to delay this (b)(1)1.4a, (b)(2)High just weren't confident on that piece on the seventh but we had addressed all of those.

UK SME

And I can completely see how you tried to mitigate each bit of risk but when it comes to because you're the military tactical commander in all sort of language. You're bringing together your assessment of the plan, the risk, the likelihood of success. But when it comes to briefing the CONOPs further up the chain, were you able to articulate the overall chance of success?

WITNESS:

I don't know if we ever put it in a percentage of -

UK SME

Okay. Not -

WITNESS:

I think if you do that, it comes to down I was confident we could -

Major General Votel:

How did you articulate it to General Petraeus?

WITNESS:

I said, sir, I assess she is there and I assess we can get in, there is risk to her on the rescue. And that was that morning, sir, here's the intel and he said that, you know, make sure the UK has given the go ahead. We said we've been talking to them the whole time. So really it comes down to those three risks you mentioned; was she there, yes, I assess she was there with 75 percent certainty; did I assess that we could get in, yes - when it comes to getting shot at by - our helicopters get shot at all the time. I did not assess a shoot down. I assessed that as pretty low; however, it is really risk of

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

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

well. So I think there was some - never felt rushed to do it in the sense of - my concern was that she would be moved at some point but overall, I assumed that if our guys got on the ground, based on their training, that they would, I'm assuming mission success at that point all though I knew that there was risk associated with her.

UK SME

Did you feel that you owned the balance of risk between the chances of trying to get her out alive and her getting killed in the process versus the risk to her life if we just did nothing? Did you feel that owned that balance or was that for someone else to -

WITNESS:

I felt I owned the risk to the mission on that. It really comes to a larger picture of are we going to negotiate which I did not assess that they would really - if any negotiations would have been through third party really though either the company that owned her or tribal elders and the tribal elders would have negotiated out of pressure that they were feeling from Task Force Bastogne being in the Dewagal Valley.

Major General Votel:

Is there anything else on risk here? I feel comfortable with what (b)(3), (b)(6) has outlined there. Okay, thanks. (b)(3), (b)(6) I want to move on to ISR.

WITNESS:

Okay.

Major General Votel:

I've got two initial questions here, what was your intent - we've discussed - obviously as know we discovered through our question asking that essentially for this operation and the time of execution Task Force (b)(1)1.4a, (b)(2)High essentially has (b)(1)1.4a, (b)(2)High the ISR.

WITNESS:

More than (b)(1)1.4a, (b)(2)High probably (b)(1)1.4a, (b)(2)High what we normally have.

Major General Votel:

Okay. It might surprise you to know that they considered it to be (b)(1)1.4a, (b)(2)High

WITNESS: When you actually add up the number - when you talk pure ISR platforms, we had 1.4a, (b)(2)High sensors on the target.

Major General Votel: Yes. We had 1.4a, (b)(2)High sensors and we think we identified -

WITNESS: Plus 1.4a, (b)(2)High.

Major General Votel: -- a total of 1.4a, (b)(2)High sensors. We got 1.4a, (b)(2)High. We've got all the other stuff, got it. We've got a whole bunch of things. In their minds, you had 1.4a, (b)(2)High. What was your intent for giving that additional ISR to them.

WITNESS: The intent, sir, to give the ISR was to 1.4a, (b)(2)High everything. Because of the size of the target, a concern is are they going to take her and then run and then we lose the ability to figure out what's still going on target and as people are leaving, going off, you have to have a number of sensors. If you look at the slants involved on this thing, it was right around 1.4a, (b)(2)High going into it. We had roughly 1.4a, (b)(2)High sensors but did I think every single one of those sensors - because you discount pretty quickly that which is associated and that which is not. So as - my concern was they'd get up in one of these micro terrain, crooks and - all they'd have to do 1.4a, (b)(2)High

1.4a, (b)(2)High

was there and had moved, I would have kept piling on forces and expanding that bubble based on that. The question is when you look back, looking at the feed through the JOC, I couldn't tell - in that slightly degraded feed, you can't tell that that's her coming out of 25. Looking at the high resolution feed and knowing what we know with 20/20 hindsight, yeah, that's him taking her out by the arm or whatever as they come out. The intent of ISR, sir, was to be able to identify all the different movement patterns that would happen both on target and off target.

Major General Votel: Good. Thanks. Next question 1.4a, (b)(2)High now we've identified the potential of Objective 1.4a, (b)(2)High you're trying to figure out - you've got this information here that tells you a associate with her,

talking to her, with her is there so we start necking down on the seventh and into the eighth here that this is the place. And you - you carefully did not assign a number to your chances of her being there. I presume it is at least greater than 50 percent?

WITNESS: I said 75, sir.

Major General Votel: Okay. Good. So at that point, as we're closing in on the objective, and, again, we're talking about ISR now and the force is getting in there, what would have been your expectation for how they were using ISR at that particular point? In your mind, what should they have been looking at given that this was a hostage rescue mission.

WITNESS: Yes, sir.

Major General Votel: And they've got extra assets and this is a -

WITNESS: Yes, sir. This is a mission that they trained for on the hostage rescue. Now granted, do we do many hostage rescues? No. When we increase the ISR, I



25. That would be my anticipation of ISR.

Major General Votel: Okay.

WITNESS: But it will - did I articulate that specifically that it's exactly what I wanted the ISR to do, no. I will leave it up, honestly - that is their bread and butter. How they wanted that information called which sometimes can actually - if you have ISR

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

Major General Votel: Would it surprise you to know that a person in the ISR link here, at the time of mission execution, at the time of HR, was not aware that she could have possibly been on Objective ~~(b)(1)1.4a, (b)(2)High~~

WITNESS: That would surprise me, sir.

Major General Votel: And just based on your experience here and I know you're obviously a highly qualified commander here, just in ISR, what's the -

WITNESS: I would tell you it would depend on the asset coming in, sir, too.

Major General Votel: Let's not talk about the assets, let's talk about the people in the chain that are planning, directing, providing instructions to - what does that chain look like to you?

WITNESS: From an ISR standpoint, sir?

Major General Votel: Yes.

WITNESS: The CONOP is provided and then the GRG's are pushed out to the chain. Given that this was the rescue, they should have been able to articulate. We pushed this out -

Major General Votel: Who should be doing that articulation?

WITNESS: Sir, it will go back through our J3 apportionments the assets ~~(b)(1)1.4a, (b)(2)High~~ that day when we looked at what was coming on there, that there's people that sit in the ISR world here - a portion of whether it's our guy who kind of controls the ISR. I'm still a little shocked that someone wouldn't think that actually

that she would be on that target or at least that they had no idea that we were on that target.

Major General Votel: Let me just ask - make it a little more precise here. As we're briefing the CONOP, as we're disseminating final instructions down into (b)(1)1.4a, (b)(2)High and across everybody else - I know you guys do a CONOP brief up here every time you do one.

WITNESS: I got your question, sir.

Major General Votel: What's the chain for how that stuff is getting to the assets? I'm not concerned about the assets. I'm talking about how we get it to the assets.

WITNESS:

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

those assets. They are the one giving instructions -

Major General Votel: In this case, Task Force (b)(1)1.4a, (b)(2)High

WITNESS: Yes, sir. They are the ones giving instructions to

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

Mark. You can talk them through every one of those buildings and they've got a guy doing a sketch in there and they have that ability to do the GRG that way.

Major General Votel: Thank you. Brigadier?

Brigadier Nitsch: Can I just ask you one thing?

WITNESS: Sure.

Brigadier Nitsch: The CONOP brief that's here, is that the only brief which is designed - well, sorry, first question, is that brief designed to get information to external agencies or is that purely designed to inform the headquarters?

WITNESS: It is multiple things, sir. It's to do both. It's

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

it goes higher or not -

Brigadier Nitsch: Okay. Definitely happy with that. So its coordination, the CONOP brief is designed to stimulate coordination between the battle space owner and yourselves?

WITNESS: And that will happen also at a lower level. They will take that and it will go to the Brigade level and the Battalion level when we do the warning orders based on from what they have. Generally at the Battalion level, they will get the location and what we're working. Specifically to (b)(1)1.4a, (b)(2)High there was no - everybody knew what we were doing that night and where and why.

UK SME So, you wouldn't have expected anything, necessary from the CONOP brief to flow into the ISR chain because you would have expected the ISR chain to be informed by Task Force (b)(1)1.4a, (b)(2)High

WITNESS: Task Force (b)(1)1.4a, (b)(2)High is the owner, kind of, of the CONOP. We are approving it at this level as we look at it and if I have concerns in certain areas and we've done it with, I'm not comfortable going to the X in here but a lot of times that comes up earlier in the process.

UK SME Is all the CONOP brief verbal? Is it supported by any written ----

WITNESS: Oh, it goes (b)(1)1.4a, (b)(2)High, the CONOP process. What it is, bunch of people get, here's the

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

UK SME

Okay. Now (b)(3), (b)(6) you have to excuse my ignorance, it is completely to nail this out of sight in my mind. The CONOP brief is designed to deliver coordination, sideways and upwards, it's not designed to stimulate any activity downwards?

WITNESS:

Downwards in a sense if there is concerns at my level or the J3 or the sergeant major, or the J2 on what they see. Hey, I need more answers on this. What we needed more answers on was on (b)(1)1.4a, (b)(2)High as we were doing this, ecifically to (b)(1)1.4a, (b)(2)High my concerns were on (b)(1)1.4a, (b)(2)High. We knew what ----

Major General Votel:

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

WITNESS:

Yes, and really on that side what was going to be our

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

like the plan, and we rebriefed it later that day in great detail from (b)(1)1.4a, (b)(2)High

UK SME

That's brilliant, thank you, sir.

Major General Votel:

Thanks (b)(3), (b)(6) The last area that we just wanted to chat with you about here is kind of the post-op storyboard. We did meet with others. We talked with several other key players in the process and talked with them. I guess I would just start off by saying, are you satisfied - I recognize that ultimately we determined that it was not an accurate depiction there. But, setting that aside for the moment and looking at the processes you were going through a week ago for 3 hours here, were you satisfied with the way all that went?

WITNESS:

Let me back up a bit, sir. I think the storyboard was accurate with everything but the determination that obviously he blew himself up. Locations, what happened up until, obviously we found out that we threw a grenade. That would have changed the entire dynamics of it. Our process is such that every night

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

can send it up. We do a storyboard every single morning but it's on every OP. Last month we (b)(1)1.4a, (b)(2)High objectives and what it is, it looks like, here is the location on the map, here is what the mission was, here is the actions on and the actions on aren't down to excruciating detail and then here are the effects that came out of it. On this one, I think EXFIL for her was 2130, we were about an hour after, within, about 2330ish is when we started getting SSE pictures in of the EKIA, etcetera. We did not send out a story -- then they pushed up their initial cut and then we talk about it. The big discussion is, was this a suicide, I think we get wrapped up in suicide vest. We don't see a high number here per say, but we have found plenty compared to Iraq where it seems

like darn near every other objective you found a guy, based on your targeting, you found a guy with either what we call a body bomb or just, it's a small explosive designed to kill him so he is not taken alive or in the classic sense of a suicide vest designed to kill massive on others. As we looked at it and you saw that one where the torso portion here as the pictures started coming in, I have seen hundreds of grenade injuries and I have seen dozens of suicide vest blasts, both were not consistent with either. Generally a suicide vest the guy is shredded and on a grenade injury it is massive shrapnel, unless it is tamped in some way, shape or form. We have another TF soldier right now who is just missing his hand and it went off, an enemy grenade went off in his hand as he was trying to throw it back at the enemy. So, we have many examples to draw and we are all products of our experience. We looked at it, and when we looked at it we were talking back and said, "this is not consistent with a grenade." So, really the question comes down to, was a grenade thrown by us. The question was asked, "Hey, are we sure this wasn't, did anybody throw a grenade. This was done through (b)(1)1.4a, (b)(2)High talking down (b)(1)1.4a, (b)(2)High, hey, confirm that we did not either, it could have been a grenade (b)(1)1.4a, (b)(2)High round called a hellhound round which is basically used as a (b)(1)1.4a, (b)(2)High round. Could it have been a (b)(1)1.4a, (b)(2)High could it have been a concussion grenade or could it have been a flash bang that then sympathetically detonated. Initial report was, "Enemy grenade killed her. We saw the explosion." So as we are going back through and we are trying to reconstruct, it just did not look consistent with the injuries from a grenade. So, as we put on the storyboard, "assessment" and then on the email that went out. Hey, as we continue to get more facts, we'll refine it down. Part of it came, initial report was, hey, we found a chest rack with grenade pins pulled on it which changes a little bit how you look at the problem and if you were thinking that there was no friendly grenade going out and this is all enemy induced, okay, what would cause those types of injuries. Is he going to hold a grenade up next to himself? Or you could go, yeah, if he was trying to kill himself and her, is he going to smother it to himself to kill himself and we all know

the stories of someone jumping on the grenade. It acts as smothering effect and doesn't affect those around them generally. So, that is where the conclusion of that. That was also in the discussion with, hey, this is our best assessment and we will continue to figure out based on the backbrief and the additional SSE.

Major General Votel: Okay. Thanks. And the picture you are referring to is the picture of what we have kind of referred to as EKIA 3 where he's got a massive, you know, traumatic injury on his left shoulder.

WITNESS: And then there's one of him where he's faced down.

Major General Votel: At a couple of different angles.

WITNESS: A couple of them.

Major General Votel: But that is the one you are talking about?

WITNESS: Yes, sir.

Major General Votel: It is not the assessment of the weapon that did that is based on that picture. It's not based on what we saw in Ms. Norgrove?

WITNESS: Absolutely, sir. I never - the only picture I have seen of Ms. Norgrove is of her face with the ----

Major General Votel: Did you receive any information on what the nature of her actual injuries were?

WITNESS: They called up and said it was shrapnel blast. So, then the assessment was - they said that she was found in the fetal position at the feet, that's where you see on the storyboard. We pushed back and forth and said, 'Hey, what was the location of her right here?' Then pushed it back out and said, alright, this is what our assessment is and is this accurate? We will generally always, even before I send out my nightly commanders comments we are pushing them back down, hey, is this accurate on how we are portraying this.

We are also up against, the reporting chain on that one we said, 'hey, I just pushed Objective (b)(1), (b)(4a), (b)(2) High to SEPCORP.' I think we pushed send on that one

around 230 in the morning. So, really from the first pictures that's 3 hours. That's literally more time than we normally have for any storyboard to push it out. Roughly 0230, sir.

Major General Votel: It was 0226. It is close enough I just want to be official for the record here. (b)(3), (b)(6) I want to ask you, what is your expectation of what the post-op activities that take place out at the subordinate Task Forces, hotwashes, SSE debriefs feed the development of the storyboard process?

WITNESS: Sir, generally what will happen when they get back, it all depends on when they set for their SSE debrief. I've sat in hundreds of them as a Task Force Commander whether it was north in Iraq or down when I was down south visiting. Usually they will be well after the storyboard. So, there is a general backbrief from the ground force commander or if there is some extenuating circumstances on target. You are trying to get as many of the facts that you can and it is a balance between if we think there is going to be some type of IO blowback. We are like, hey, what can we get. We have also had HVW photos sent back. The one thing we can normally only get the story out the first time and don't want to be inaccurate on that so when it comes back when they do their SSE debrief, it is generally the majority of the Task Force will come in. Each element does it slightly different. I think the greatest participation is when one of the Task Force subordinate units is doing it. They will get everyone in the room that was on target generally because everybody paints a different piece of that elephant as they are looking at it from a slightly different angle. What I want is the private who is in the corner and, you know what, that's the guy. I saw him drawn on a map when we came in or when during the call out I watched him something stuff something in the corner. Others will come back and they will push, here is all the SSE, here are the photos. They will rip the photos generally to a hard drive and then they'll start numbering it and drawing the picture on the board. We have a standard brief. Within 24-hours is when we get - our standard is 24 hours after is when you get the EXSUM and that is after a debrief and we've

assembled all of the SSE and photos and what was found where. The initial triage of the DOCEX and the rest of it that comes off of it.

Major General Votel: But (b)(3), (b)(6) the question that I want to ask is that process should inform our ultimate informing process.

WITNESS: It does, sir, when the EXSUM comes out. A lot of times prior to ----

Major General Votel: You've already sent the storyboard?

WITNESS: Prior to the SSE debrief you are getting those that are on target. It is an initial blast just based on that. Otherwise our storyboards wouldn't go out for 24 hours afterwards and candidly we are getting asked for them much sooner than that.

Major General Votel: Okay. Let me ask you this question. Would it surprise you to know that the hotwash done by the unit and the SSE stuff was essentially complete about the same time at 2322 that initial storyboard is sent to you guys?

WITNESS: That wouldn't surprise me, sir. We've had them, literally, 'hey, guys, we are going to drop kit and go right into the SSE debrief.'

Major General Votel: So, that's approximately an hour after - the touchdown time for them at (b)(1)1.4a, (b)(2)High is what time, do you recall?

WITNESS: 2230ish.

US SOF SME: I don't remember, sir.

WITNESS: It was about 2230 I believe, sir.

Major General Votel: What I'm trying to determine is - I'm looking at the thing that we briefed General Mattis on here and the 2211Z the assault force RTBs at (b)(1)1.4a, (b)(2)High

WITNESS: Probably about 15 minutes to get back in the JOC.

Major General Votel: 2335 the assault force hotwash commences. At 2250 the Sensitive Site Exploitation begins. We have testimony that that lasts about 30 minutes. At 2322 Task Force (b)(1)1.4a, (b)(2)High submits special storyboard to Task Force (b)(1)1.4a, (b)(2)High

WITNESS: That doesn't surprise me at all, sir.

Major General Votel: What are the conditions or the indicators under which we would expect an organization to go and do a more detailed after action review of what happened? What would be the trigger?

WITNESS: Sir, this would be one of them. Obviously just based on the significance of a hostage.

Major General Votel: What specifically about this one?

WITNESS: It's a hostage. Any time we have anything where we deem that we think that something is going to come out of it, hey, there's IO, we've got to get additional answers on this.

Brigadier Nitsch: Do you direct that or do you expect them to work it out themselves?

WITNESS: Everybody does the backbriefs.

Brigadier Nitsch: Oh, other than the hotwash a more detailed AAR or are we confusing the two concepts here?

WITNESS: I think there is a - there's a SSE debrief that we have that happens after the target. If there is something that is - I mean every platoon, every element at some point does an AAR on a mission. Some of them are so benign that there is really nothing to report. On one like this I absolutely would, internally, but I'm getting the information. I'm asking the information requirements, how they would physically do that is going to be internal to that Task Force, that (b)(1), (1.4a), (b)(2) High

Major General Votel: Okay. So, your expectation would have, it doesn't surprise you that timeline I referred to you here that within 15 minutes they do a hotwash?

WITNESS: Yes, sir, because we needed facts to get out - especially the fact that she was killed.

Major General Votel: Okay. And do you know the circumstances under which Task Force (b)(1), (1.4a), (b)(2) High at least the troops out at (b)(1), (1.4a), (b)(2) High do their hotwashes? Do you know where they do it?

WITNESS: They do it in, there's a room that they put all their SSE in and then on the other side of that, it's one room over.

Major General Votel: Okay. I want to distinguish, there are two things we are talking about. We are talking about hotwash where they are kind of reviewing critical information off the objective and then there is a J2 lead SSE debrief.

WITNESS: And that's around a table with a computer out to the side.

Major General Votel: In the ~~(b)(1), 1.4a, (b)(2) High~~ Planning Area?

WITNESS: Yes, sir.

Major General Votel: Would it surprise you to know that the hotwash is done around the firepit in the assaulter's compound?

WITNESS: Surprise, I would expect it to be in a room with whiteboards, sir.

Major General Votel: Okay. And just to clarify the last conversation or the last discussion point on the After Action Review, so, the After Action Review, your expectation is that Task Force ~~(b)(1), 1.4a, (b)(2) High~~ Commander would take that action and say, hey, listen, a hostage was killed here. Let's after a period of sleep here everybody is rested, would sit down and do a more thorough analysis and discussion of what happened, and what we learned out of this and how we could have, your expectations that would have taken place?

WITNESS: Yes, sir.

Major General Votel: Do you normally direct those from your level at all to anybody?

WITNESS: Sir, the only - it would be information requirement driven. So, 'hey, we need more information on this.' Or, we get lessons learned - I can speak specifically from another TF perspective, every week we get lessons learned that come up every ~~(b)(1), 1.4a, (b)(2) High~~ the battalion pushes them all out and what they are are lessons learned from each of the platoons that are out on the different multiple locations on tactics, techniques, and procedures over the last week of



WITNESS: Sir, after you have said that about six times no it would not.

Major General Votel: Brigadier?

Brigadier Nitsch: How are you doing? I've got two quick questions. The first one (b)(3), (b)(6) is just go back to the hotwash. In your experience would you expect everyone who has fired their weapon or thrown some ordnance to get a chance to speak and to say why they fired and what happened?

WITNESS: Yes.

Brigadier Nitsch: Okay, fine, so would I. The next question is, if I remember rightly you get the initial storyboard at about 2330, you don't release it until about 0230?

WITNESS: Because there was a discussion going ----

Brigadier Nitsch: So there is a 3-hour interrogation process which is absolutely ----

WITNESS: I wouldn't call it "interrogation" it was information coordinating back and forth.

Brigadier Nitsch: I use that word because I'll come back to it in a moment, but 3 hours which you would expect, given the competing requirements to get the information out quickly versus making sure it is accurate.

WITNESS: Three hours is a long time candidly for a storyboard in this environment.

Brigadier Nitsch: That's what I'm saying. So, it's 3 hours because you are, and I don't want to put words into your mouth, but you understand the importance of getting the facts right as you said yourself, there is one chance only to get the right story.

WITNESS: And that happens on almost every storyboard that goes out. Most of them are benign. It's the special storyboards that we take special attention to as we go on. That's why the 3 hours and it was the discussion piece, and there were some RFI questions back to it.

Brigadier Nitsch: My question is to do with the discussion, because the reason why you sort of "interrogate" is because you

have got a chain of command here with you at the top for this purpose because you are going to be the person that is releasing the storyboard, and individual assaulters potentially at the bottom. So, in this case, you've got the individual who threw the grenade. You've got his assault team leader. You've got the Headshed and then you've got yourself.

WITNESS: Yes.

Brigadier Nitsch: Now, in your own words you are asking questions and I take it this conversation is happening between you and the Commander, is that right?

WITNESS: And it was generally me, the Commander, my J3 next to me and my J2.

Brigadier Nitsch: But it was between the High Task Force High

WITNESS: Yes.

Brigadier Nitsch: And you are, I think you said, you know, you asked specifically was any ordnance thrown, grenades thrown and this is after you have had the initial report?

WITNESS: Yes.

Brigadier Nitsch: I've got the storyboard that says that that there haven't been any grenades thrown but you still ask the question, quite rightly as it turned out. What did you sense was happening beneath Task Force High? So, you are asking the question down to them, was there any sense?

WITNESS: I'm assuming they are in there getting the answers because the answers are coming back up. I am not going to jump down and talk to the Team Chief, and I have, I have called down and talked to company commanders.

Brigadier Nitsch: But within the - this is the question I wanted to ask, actually, sorry, do you think the genesis; the storyboard is High?

WITNESS: I think it is really at the level is where they develop it with input from, you know, part of it is, if I push that down to a platoon, I've been a

different TF soldier for 22 years, and we ain't going to do a good storyboard. There is a standard that we kind of put out in the format of which it looks like, that base shell is built by the subordinate task force or it can be a team if you are out there separately, (b)(1)1.4a, (b)(2)High

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

Brigadier Nitsch: Let me ask the question in another way because obviously this 3 hours is really important to you asking all these really important questions.

WITNESS: Yes.

Brigadier Nitsch: In your view, do you think it was apparent to Task Force (b)(1)1.4a, (b)(2)High what they had initially provided was not, I wouldn't say inadequate that's the wrong word, but was not the result of sufficient analysis and debrief? Do you think that the impression that they should have got was actually we need to go around this boy again. We need to get people back in.

WITNESS: I would tell you that if they didn't, if they didn't I would tell you that they didn't do that.

Brigadier Nitsch: Right, they didn't do that.

WITNESS: Right. My point is I think they thought that they had all of the information that was required to describe what they saw. Remember we are watching on ISR, we saw what happened on ISR without seeing the individual guy taking a shot and they are relying on those individuals that were in the vicinity of the action and then what they found when (b)(1)1.4a, (b)(2)High found her and the other personnel.

Brigadier Nitsch: Okay. Sorry for keep on hammering on this point but 3 hours worth of sort of question and answer, an interrogation is the word I use between you and the (b)(1)1.4a, (b)(2)High Commander. That is out of the ordinary, isn't it for one of these things or not or do you think that was pretty standard?

WITNESS: It's, on a special storyboard, it can take 2 hours to get information and, hey, you know what, part of it is that we are waiting for the debrief. We'll have a

shell and the guys are filling in. We've got the timing of everything and really everything on that storyboard is accurate with the exception of he blew himself up. Change that fact and it's pretty damn accurate. You know the part that, the reason I'm getting the details is when we are talking and he says, 'hey, when the guy went in on the HLZ to the north, they saw that the guys in the south weren't going to make it to their initial targets in time, therefore that operator made a decision to break off to the left.' That's the detail, when you are getting that kind of detail that means you were talking to the - I never once questioned that he wasn't talking to, that it was any type of opinion, that it was actually coming from debriefings. That's standard. I'm not going to jump that chain of command and go down and down and down. The assumption is and I had no indication to believe that other than that happened.

Major General Votel: So, that's the point I want to make sure that we make right here. You guys are doing prudent, fact checking, all kinds of stuff during this period of time. The explanation of the suicide vest and looking at the injuries and the picture and everything else there and based on your experience, that all seemed explainable, plausible and you didn't have a suspicion that there was something else?

WITNESS: Sir, if I thought it was a suspicion it would have been "Break, break, break, stop." We are going to, oh, by the way there were several other missions going on at the time and their storyboards and other things going on. So, it would be that the 3 hours to me is a long time but at the same point we wanted to make sure we got it right and part of it is we are waiting for pictures to be downloaded onto hard drives and over a period, I think from 2330 when we got the first pictures of guys all the way up until about 02 and part of it, "Show me the SSE." That's the piece I'm looking for. When you saw part of it that also drove some of the questions and I don't know what you discovered in your investigation, the pipe bomb like thing that was in the, did you see that picture in the SSE in 25, it looks like a pipe bomb with det cord. So, all of these things weighing

in based on reporting is you think this looks like an explosive device that the guy could have had on his back. At no time did I think he was wearing it. Also, if you are in a hurry and all of a sudden guys are right outside this door, you are not going to put up all your kit and strap on your chin strap to go fight, you are going to grab your weapon and move out. The same thought process went in. Helicopters had landed. What I was trying to rectify too is some of the timing. Why did they move towards the assault force and the assessment was initially was because the northern HLZ took off. The southern HLZ is still

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

UK SME General, can I ask just one more question?

Major General Votel: Absolutely.

UK SME The units that come into Task Force (b)(1)1.4a, (b)(2)High they don't belong - you have nothing to do with them before they arrive in theater, do you?

WITNESS: (b)(2)High, (b)(1)1.4a. We have what we do is a (b)(1)1.4a, (b)(2)High

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

Major General Votel: Before you go into that. Let me just, I think maybe the question you may be asking is you don't have a command relationship to them?

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

Brigadier Nitsch: Yeah, the command relationship. So, how do you reassure yourself about consistency of procedures when a new (b)(1)1.4a, (b)(2)High comes into your command?

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

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

UK SME

Yeah, how much commonality of internal procedures would you expect in the Task Forces that are coming through? So, in the Task Forces that are coming through your, and I understand exactly what you just

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

WITNESS:

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

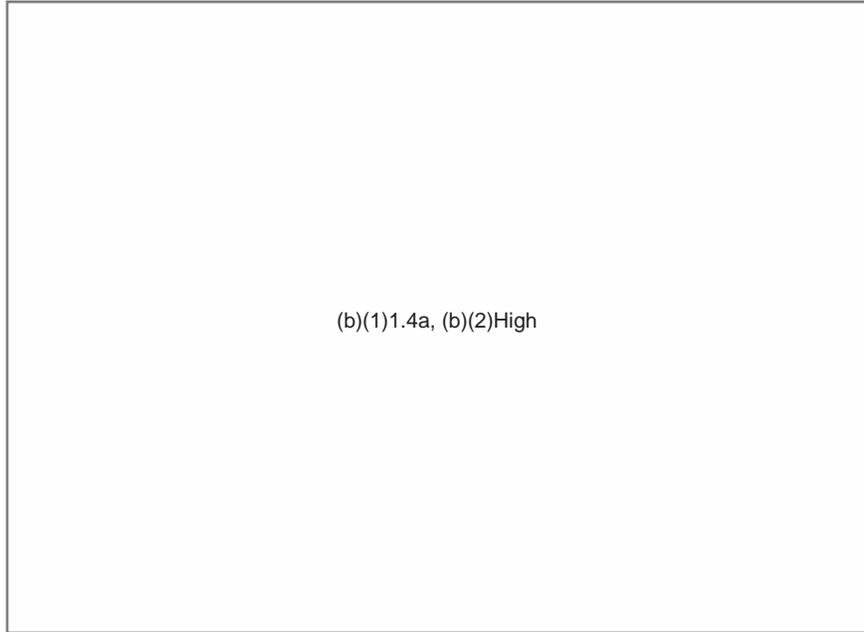
over. There is a certain standard at which here is your left and right limit on everything from reporting to SSE debriefs where we try to normalize and standardize all of that.

UK SME

And would you expect that to be, that sort of thing that just described, would you expect that to be the same for the Task Forces that are coming through Task Forces?

WITNESS:

I think there will be some differences and as they come in it is part of that, and we are late in the rotation here, so its part of that shaping and forming and it is. It's like, break, break, guys right. We need to go back and adjust it. Generally, the biggest change is if you (b)(1)1.4a, (b)(2)High. It goes to the amount of reporting that comes out of



(b)(1)1.4a, (b)(2)High. So, we said, hey, if something bad even happens on target, we specifically mention this, tell it. We even talked, the only person we are calling Jackpot on, and this kind of goes back to what was the mission and we were clear the only person you call Jackpot on is her. It has nothing to do with the capture; it has to do with her. That was specific on that and (b)(1)1.4a, (b)(2)High Commander knew that because that's what he called up. Initially there was this high in the JOC. We got Jackpot and then it was literally 5 seconds later, she is KIA. Then there was that sense. But that is how we articulated it specifically for this target that she was the Jackpot.

UK SME

Okay. That's all, sir.

Major General Votel: (b)(3), (b)(6) thanks, that's really good. I have one final question here. What is your impression of the unit mood at this time and the time I'm describing is as

they come off of this objective knowing that the person that they were trying to recover was killed and now they are back here at their home base, what's your impression of what that is? Do you have any concerns on how that might just be influencing.

WITNESS:

Sir, I think there was a sense of failure in a sense that this is what we [redacted (b)(2)High, 1.4a] and then there is a sense of failure in not accomplishing the mission. That can be explained, if indeed, what we initially thought happened, happened. Everybody understands there is a risk to the hostage when going in. If indeed that individual blew himself up as we were approaching, I think in everyone's mind who is in this business they can understand, that that was part of the risk going in and everybody had different levels of what that risk was going in based on personal experience background and what their understanding of the Intel was. I think, break, break, after the fact when it was discovered that we, indeed, most likely killed her with a grenade and the autopsy will determine that, but I believe it is probable with high degree that that is what killed her. I think that is devastating to an organization because had you not gone, she is alive still. You know we go through the whole debate of how often do we need to train that. Well, when called we can't fail it. So, I think the mood is one, it dowered the entire mood when we realized, holy shit, we are the ones who killed her and oh, by the way, then there's a question of some integrity. Why didn't this come up earlier in that? So, then that causes other things to be a little bit of self doubt. I am concerned and I talked to the [redacted (b)(1)1.4a, (b)(2)High] Commander five times a day probably at a minimum. There is concern in the unit and it reverberates throughout the entire community and it reverberates I think all the way [redacted (b)(1)1.4a, (b)(2)High] forces. It affects everybody because it affects policy makers too that will make the decision, which route do we go? You know, rescue or we are some cursorily negotiation, etcetera. So, I think there is great concern in the organization. You have, the minute I found out a grenade was tossed, I did not want to talk to anybody about actions on the objectives so as to not sour any of the

investigations. So, I have avoided talking that specifically so much as really, one, I want to keep them whether it's Team [redacted (b)(2)High.1.4a] that I had down there, I want to keep them actively involved in the fight because I think otherwise literally they are going to walk out of here. I have very great concerns about that specific (b)(2)High; they are not going to get back on target. They are leaving out of here under a very black cloud and I think that affects the organization and that permeates an organization.

Brigadier Nitsch: I have no further.

Major General Votel: US SOF SME?

US SOF SME: No, sir, thanks.

Major General Votel: (b)(3), (b)(6) thanks for coming in. I know we went a little bit longer than we anticipated but frankly I had a well timed discussion here.

WITNESS: Yes, sir.

Major General Votel: I think we covered an awful lot of ground here and we really appreciate the time to lay all that out for us as well as help us get up to speed as we came in. As we kind of conclude this, I want to remind you that this is an official investigation as it is protected in a sense that this report will be made to the appointing authority for such use as deemed appropriate. You are ordered not to divulge the nature of this investigation and the questions, answers, or discussions included in this interview with anyone except the Chaplain or your counsel, if you have one, until case closure unless approved by me an Inspector General, or the appointing authority or higher authority. If someone should approach you regarding your testimony or matters discussed here you are required to report it immediately to me or to the appointing authority.

As the investigating officer I am prohibited from providing you a copy of your testimony that we will produce here today, however, you may request in writing for the report or any part thereof or the Freedom of Information Act Office. The release authority will evaluate your request under both the

Freedom of Information Act and the Privacy Act and provide the releasable information to you.

If in the wake of this discussion, you come up with other information you think may be relevant to us, please let us know and we will reconvene. Are there any other matters that we haven't covered with you that you believe may be important for our investigation?

WITNESS: None that I can think of, sir. You all are tracking the timing of reviewing the feeds and all that, correct?

Major General Votel: What do you mean?

WITNESS: The hard drive?

US SOF SME: Yes.

Major General Votel: And our understanding is the software problem there, decompression problem has been resolved.

WITNESS: For that specific, yes, sir.

Major General Votel: You mentioned talking to General Townsend here and I think you know we've talked to a number of people here this week and many more than once, three times in some cases here.

WITNESS: Yes.

Major General Votel: We have talked to a lot of folks. Is there anybody else that you think we might want to talk to?

WITNESS: I think General Townsend, (b)(3), (b)(6), (b)(3), (b)(6) was the TF Bastogne Commander, he can take you everything up to, hey, we've got Intel out here and kind of the Intel coordination piece and what the elders were saying and what they were getting.

Major General Votel: I think we are good there and then that's a little bit beyond the scope of the investigation thing here but I did consider that but I think we are okay right now with respect to that. I appreciate that thing. Do you have any questions for us?

WITNESS: No, sir.

Major General Votel: (b)(3), (b)(6) thanks, I appreciate it. I note right now that the time is 1740 Zulu and this interview is concluded.

[The witness departed the room.]