

1 [Investigation opened at 1201 hours, on 13 October 2009.]

2 **LtGen Natonski:** Again, I have to read something to you. I
3 am Lieutenant General Richard F. Natonski, United
4 States Marine Corps. I have been appointed by the
5 Commander of U.S. Central Command to conduct an
6 investigation into the facts and circumstances
7 surrounding the combat action at Wanat, Afghanistan,
8 during July 2008. Major General David Perkins, United
9 States Army, has been assigned as the Deputy
10 Investigating Officer; Lieutenant Colonel (b)(3)(b)(6) and
11 Lieutenant Colonel (b)(3)(b)(6) are Judge Advocates
12 assigned to the investigation team.

13 The testimony that you provide today will be
14 recorded, transcribed, and included in our report of
15 the investigation. Based on your testimony, we may
16 also prepare a separate written statement for your
17 review and signature.

18 Prior to coming on the record today, you signed a
19 privacy act statement. Is that correct?

20 **CPT** (b)(3)(b)(6): Yes, sir.

21 **LtGen Natonski:** Okay. Your testimony will be made under oath.
22 You will now be sworn.

23 [The witness was sworn.]

24 **LtCol** (b)(3)(b)(6): Please state your full name, spelling your last.

25 **CPT** (b)(3)(b)(6): (b)(3)(b)(6)

26 **LtCol** (b)(3)(b)(6): What is your current unit and that unit's
27 location?

28 **CPT** (b)(3)(b)(6): HHC, 173d Airborne Brigade Combat Team on Caserma
29 Ederle, Vicenza.

30 **LtCol** (b)(3)(b)(6): Are you currently a captain in the U.S. Army?

31 **CPT** (b)(3)(b)(6): Yes, sir.

32 **LtCol** (b)(3)(b)(6): In July of 2008, what was your unit and the
33 unit's location?

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Black 1 CPT (b)(3)(b)(6): It was the 2/503d Airborne Infantry Brigade or
2 Airborne Infantry Battalion, 173d Airborne Brigade
3 Combat Team currently deployed at Camp Blessing,
4 Afghanistan.

Beta 5 LtCol (b)(3)(b)(6): And in July of 2008, what was your rank and your
6 duty assignment?

Black 7 CPT (b)(3)(b)(6): I was a first lieutenant at the time and I was
8 the Assistant S2.

Beta 9 LtCol (b)(3)(b)(6): Prior to coming on the record this afternoon, did
10 you have an opportunity to read a transcript or an e-
11 mail or a record of e-mail exchange with Mr. (b)(3)(b)(6) Garnet
12 at the Combat Study Institute?

Black 13 CPT (b)(3)(b)(6): Yes, sir.

Beta 14 LtCol (b)(3)(b)(6): 11 pages long?

Black 15 CPT (b)(3)(b)(6): Roger, sir.

Beta 16 LtCol (b)(3)(b)(6): Is there anything that you care to change about
17 that statement?

Black 18 CPT (b)(3)(b)(6): Negative, sir.

Beta 19 LtCol (b)(3)(b)(6): And did you sign the first page of that
20 statement?

Black 21 CPT (b)(3)(b)(6): Yes, sir.

Beta 22 LtCol (b)(3)(b)(6): And dated it 13 October 09?

Black 23 CPT (b)(3)(b)(6): Roger, sir.

Beta 24 LtCol (b)(3)(b)(6): And do you adopt the e-mail record as part of
25 your sworn testimony today?

Black 26 CPT (b)(3)(b)(6): Yes, sir.

Beta 27 LtCol (b)(3)(b)(6): What is your occupation field?

Black 28 CPT (b)(3)(b)(6): I'm a military intelligence officer, sir.

Beta 29 LtCol (b)(3)(b)(6): And how long had you been with the Brigade prior
30 to deployment to Afghanistan?

Black 31 CPT (b)(3)(b)(6): I arrived December of 2006.

Beta 1 LtCol (b)(3)(b)(6): Did you participate in the work up?

Black 2 CPT (b)(3)(b)(6): Roger, sir. I participated in the second
3 Grafenwohr rotation in January and then the Hohenfel's
4 MRE rotation in April of 07.

Beta 5 LtCol (b)(3)(b)(6): And part of that work up is that you practice an
6 intelligence preparation of the battlefield?

Black 7 CPT (b)(3)(b)(6): Roger, sir.

Beta 8 LtCol (b)(3)(b)(6): And through your deployment, was that a normal
9 course that you would conduct foreign operations
10 surveillance?

Black 11 CPT (b)(3)(b)(6): Definitely, sir.

Beta 12 LtCol (b)(3)(b)(6): And could you describe what that process was for
13 the intelligent preparation of the battlefield?

Black 14 CPT (b)(3)(b)(6): Well, after we made a recommendation on a
15 specific area where we should conduct an operation
16 jointly with the S3, what would we do is that we would
17 sit down and do a complete IPB, the terrain, the
18 enemy, LOCs, HLZs, do line of sight analysis, get
19 imagery of HLZs, objective areas, combined SIGINT
20 information that we have, along with HUMINT
21 information, and kind of refine our objective areas
22 within the specific village that we wanted to target.
23 We worked that all up and present a most likely and
24 most dangerous course of action to the Commander.

Beta 25 LtCol (b)(3)(b)(6): And at Camp Blessing did you have access to all
26 the assets that you felt you needed to conduct data
27 analysis?

Black 28 CPT (b)(3)(b)(6): Roger, sir.

Beta 29 LtCol (b)(3)(b)(6): And if you did not have something in the
30 Battalion, you would ask the Brigade?

Black 31 CPT (b)(3)(b)(6): Exactly, sir.

Beta 32 LtCol (b)(3)(b)(6): During the deployment, what ISR platforms were
33 available to you?

Black 34 CPT (b)(3)(b)(6): Specifically FMV SIGINT, or just all?

Beta 35 LtCol (b)(3)(b)(6): Yes.

Black 1 CPT (b)(3)(b)(6): Due to our specific area, we had several
2 limitations specifically with SIGINT assets; we had
3 mounted 2 SIGINT assets. (b)(1) 1.4 a, c
4
5 (b)(1) 1.4 a, c
6 (b)(1) 1.4 a, c
7 (b)(1) 1.4 a, c Their
8 ability to collect straight down is not nearly as good
9 as some other assets, so they didn't do a whole lot of
10 good things for us. But we had a lot of access to Red
11 Ridge; Red Ridge was the best mount to SIGINT asset we
12 actually had given to us on multiple occasions. For
13 those who normally received one request SIGINT. We
14 also had an organic Shadow, now again. (b)(1) 1.4 a, c
15
16 (b)(1) 1.4 a, c
17
18
19 (b)(1) 1.4 a, c As far as ISR, that is about
20 all that we got right there. Now, there were several
21 ground-based and organic assets that we had like we
22 had 2 LLVI teams, we had several HCTs----

Beta 23 LtCol (b)(3)(b)(6): What is a LLVI team?

Black 24 CPT (b)(3)(b)(6): LLVI team, Low Level Voice Intercept, it is like
25 a mobile prophet team. And they are able to collect on
26 push to talk, mainly. We pre-position those into our
27 forward areas, threat dependent, and then also have
28 them accompany an operation, if it was deemed
29 necessary.

Beta 30 LtCol (b)(3)(b)(6): What HUMINT assets assigned to the battalion were
31 in support of the battalion?

Black 32 CPT (b)(3)(b)(6): Roger, sir. We had four ATTs, sir.

Beta 33 LtCol (b)(3)(b)(6): And specifically with planning for Wanat----

Black 34 CPT (b)(3)(b)(6): Roger, sir.

Beta 35 LtCol (b)(3)(b)(6): Let me take you actually back a second. How did
36 information flow from within the battalion? If you had
37 a report from higher, how would you disseminate that
38 up to your companies?

Black 39 CPT (b)(3)(b)(6): The main way that we disseminate information was
40 through our INTSUM. We created an all inclusive

1 INTSUM daily which included the SIGSUM, which included
2 all of the SIGINT information that we got from
3 National SIGINT assets, MEDIT Altitude, and our
4 organic LLVI teams. We then included in the document
5 our HUMSUM, which included all of the HUMINT reporting
6 both from higher and from our HCTs, and then we also
7 included patrol debriefs, just any information that
8 came from higher or where ever it came from. We
9 included it in this one document, the INTSUM. And
10 then every COP got it and then if they did not have
11 SIPR access, what we would do is do TEXTAD, we would
12 actually radio all of the threat reports to all of the
13 COPs to ensure that everyone knew the most up-to-date
14 threat reporting.

Beta 15 LtCol (b)(3)(b)(6): And how did you fuse all of that information from
16 different sources together? Is that part of your
17 preparation of the INTSUM? Is that how you actually
18 put it all together?

Black 19 CPT (b)(3)(b)(6): Roger, sir. On every intelligence report that we
20 got, we actually had our analysts sit down and grab
21 past intel reporting about that specific area or about
22 the personalities and then kind of gives the "so what"
23 about the report and give it kind of the significance
24 of why that report matters. (b)(1) 1.4 a, c

(b)(1) 1.4 a, c
26 (b)(1) 1.4 a, c So, they could read the report and then if
27 they did not understand the specific personalities or
28 the area, they could read the analyst comments and
29 then it would say that this report is pertinent
30 because and then give, you know, historical reference
31 to past reporting.

Beta 32 LtCol (b)(3)(b)(6): When was the first time you heard of a possible
33 move to Wanat, if you recall?

Black 34 CPT (b)(3)(b)(6): It was, I don't remember specific day, but it was
35 some time in, I believe, in June when it was pretty
36 clear that we were going to pull out of Bella and then
37 attempt to put a VPB at Wanat.

Beta 38 LtCol (b)(3)(b)(6): VPB? Vehicle Patrol Base?

Black 39 CPT (b)(3)(b)(6): Roger, sir.

Beta 40 LtCol (b)(3)(b)(6): That was your understanding of what was going to
41 go up there?

Black 1 CPT (b)(3)(b)(6): Roger, sir.

Beta 2 LtCol (b)(3)(b)(6): Did you have any idea of what was--was there
3 anything else planned for that emplacement?

Black 4 CPT (b)(3)(b)(6): That was mainly conducted in through the S3 and
5 S2 Actual. And they really were the individuals who
6 hammered out the details of the base and I think it
7 was more of the S3 than anything, locations of OPs,
8 actually getting the land leased from the local
9 villagers to build the base. So I really cannot have
10 my hand in the actual base where it was going to be
11 emplaced.

Beta 12 LtCol (b)(3)(b)(6): When you heard of the move to Wanat--possible
13 move to Wanat, what steps did you take as far as the
14 Intel practice?

Black 15 CPT (b)(3)(b)(6): Well, we continue to sensitize our HCTs to gather
16 more information on the enemy activity in the area and
17 just from the weeks leading up to our actual
18 emplacement of the VPB, I mean it was a steady
19 increase in the amount of reporting and the enemy
20 activity in the area. From three weeks out, it were
21 probably 30 to 40 enemies coming into the area, to a
22 week out a 100 plus. So we kind of sensitize our
23 sources that emplacement access to the Wanat area and
24 to the Waygal Valley to gather information on the
25 enemy in that area. We also got ISR several days
26 before they monitor any of the communications
27 currently in the area for what the enemy's course of
28 action was. And then we also had a lot of HMV sorties
29 up in that area, checking out historical safe havens,
30 trying to spot enemy maneuvering around the hillsides,
31 around the villages and so.

Beta 32 LtCol (b)(3)(b)(6): And you said the HUMINT reports started three
33 weeks out from the attack?

Black 34 CPT (b)(3)(b)(6): I would say about three weeks that they really
35 started increasing the amount of significance of the
36 AF that were actually moving into the area.

Beta 37 LtCol (b)(3)(b)(6): And you reported that out via your INTSUM?

Black 38 CPT (b)(3)(b)(6): Roger, exactly, sir. And included that in our
39 CONOP and the most likely most dangerous, you know,
40 the steady increase of reporting, the validity of the

1 reporting because some of them were actually from
2 recruited sources that we have established
3 relationships for several years, cultural forces.
4 We've had this relationship for several years with
5 these people.

Beta 6 LtCol (b)(3)(b)(6): Did you participate in the development of a
7 CONOP, the intelligence portion?

Black 8 CPT (b)(3)(b)(6): Um, I may have, I can't say for sure, sir.

Beta 9 LtCol (b)(3)(b)(6): Let me just show you here and take a minute to
10 take a quick look to see if you participated in
11 preparation of these items.

Black 12 CPT (b)(3)(b)(6): I don't believe I wrote this, I believe it was
13 ROCK-2 that actually wrote this.

Beta 14 LtCol (b)(3)(b)(6): That would be Captain (b)(3)(b)(6) Magenta

Black 15 CPT (b)(3)(b)(6): Roger. This does not look like my style.

Beta 16 LtCol (b)(3)(b)(6): Did you participate in the most likely most
17 dangerous analysis for Wanat?

Black 18 CPT (b)(3)(b)(6): Then again, sir, I would love to say that I did
19 but these are actually the slides that I created, I
20 created all of the ISR slides right over here because
21 that was kind of my bread and butter so I would create
22 the one for FMV, SIGINT, and HUMINT and IMINT, so--I
23 mean, this looks like something I created, but I don't
24 think I created the enemy sit slide, sir.

Beta 25 LtCol (b)(3)(b)(6): So you had the ISR portion of the plan or CONOP?

Black 26 CPT (b)(3)(b)(6): Well, that was my main job, sir. I was the
27 battalion collection manager I handled all ISR
28 requests and the synchronization of ISR assets. That
29 was my kind of baby.

Beta 30 LtCol (b)(3)(b)(6): And ISR assets for Wanat, the recall of specific
31 assets that you requested?

Black 32 CPT (b)(3)(b)(6): I requested SIGINT and FMV because request
33 capability and not a specific asset, so I believe in
34 my request that I put request FMV with lethal strike
35 capability which you can tailor your request to
36 actually get the asset you want which that request was
37 Predator. So, we got our request fulfilled, we were

1 getting regular SIGINT, regular Red Ridge sorties up
2 there. We're getting regular Predator sorties either
3 but on the night of the 12th everything just got
4 pulled. I then made a huge stink; I called up brigade-
5 -my counterpart at brigade----

Black 6 CPT (b)(3)(b)(6): And you know who that was?

Black 7 CPT (b)(3)(b)(6) Sergeant India (b)(3)(b)(6). He is my NCOIC currently
8 because now I am the brigade collection manager. And I
9 kind of chewed his ass out and demanded my assets
10 back, he then went and called division and then
11 whatever took place over there, I cannot speak about
12 because, you know, its hearsay, I guess. But we did
13 not get the assets. So then I went and told Captain
Magenta 14 (b)(3)(b)(6) Captain (b)(3)(b)(6) called up Colonel (b)(3)(b)(6) and was
15 yelling because we shared the same office and he was
16 very heated and was demanding ISR, you know give them
17 back to us. And eventually it wasn't. So I am assuming
18 they called division because that is what they did and
19 they raised an equally large stink, as we did. But
20 like I said, I cannot comment on that because I was
21 not at JAF.

Foxtrot

Beta 22 LtCol (b)(3)(b)(6): Is part of your planned ISR, do you recall the
23 duration you had requested, the number of days of
24 coverage, like Predator coverage?

Black 25 CPT (b)(3)(b)(6): I believe, I requested, without my original
26 requests, sir, it is only speculation but I know I
27 requested at least 3 to 4 days past when they stopped
28 our coverage. I think my original request was for 10
29 days-12 days because of the emplacement of a VPB and
30 then to provide the security, it was going to take
31 several days to get them established. So, like I said,
32 sir, I wish I could say, I wish I could remember what
33 my exact request was, I'm sure it's floating around
34 there somewhere because it was an all-automated
35 system.

Beta 36 LtCol (b)(3)(b)(6): What would it be called, your request?

Black 37 CPT (b)(3)(b)(6): They should be called Task Force-Rock underscore
38 and then the dates of the request and then underscore
39 Wanat and then underscore what I requested, like FMV
40 or underscore SIGINT.

Beta 1 LtCol (b)(3)(b)(6): To time the operation started, do you recall--I
2 mean, you requested 10 days, do you recalled when it
3 would have been approved?

Black 4 CPT (b)(3)(b)(6): It was immediately approved. The first day on the
5 request was, I want to say like the 8th or the 9th,
6 somewhere around that timeframe, and that is when we
7 began to get ISR coverage and we were monitoring the
8 area and everything was working great. Yes, we were
9 not able to detect any specific enemy in the area but
10 that's maybe because they were not talking because
11 they knew we were listening where they were not moving
12 around because they know we're watching because you
13 can actually hear the Predators flying up there
14 because at Wanat you are at such a high altitude that
15 even the Predator flying at 18,000 feet, you can still
16 hear it. I was up at Bella several times, and then
17 they were like "oh, the Predator is back" and I had to
18 listen for a very distinct--an idling engine noise,
19 you could hear it.

Beta 20 LtCol (b)(3)(b)(6): Was your understanding that when the platoon went
21 out to establish the emplacement that they would have
22 all of the ISR that you requested?

Black 23 CPT (b)(3)(b)(6): Roger, sir.

Beta 24 LtCol (b)(3)(b)(6): So 8 or 10 days worth?

Black 25 CPT (b)(3)(b)(6): Exactly, sir. And we had it a couple days before
26 they were actually emplaced. You know, just
27 monitoring the area, saying if anyone was--any new
28 people moving in the village, and most of our coverage
29 was done at night because that was when the enemy was
30 actually moving. And like I said, sir, we had it, we
31 had so much ISR up there but when coupled, we tried
32 everything that we could but in the end we were
33 battalion in the grand scheme of CJTF which has how
34 many priorities and needs.

Beta 35 LtCol (b)(3)(b)(6): If you were an analyst at division, they would be
36 receiving information from Task Force-Rock, from you
37 all via your INTSUM?

Black 38 CPT (b)(3)(b)(6): That would actually receive it via our brigade,
39 sir.

Beta 40 LtCol (b)(3)(b)(6): Would brigade flip your INTSUM up to them?

Black 1 CPT (b)(3)(b)(6): Exactly, all they would do is just kind of
2 cannibalize it and then just put it in their INTSUM
3 and then send their INTSUM higher.

Beta 4 LtCol (b)(3)(b)(6) So, if brigade-- if the Division G2 shop wanted
5 to have an understanding of the intel operating
6 picture in the area of Wanat, they would review your
7 INTSUM?

Black 8 CPT (b)(3)(b)(6): Roger, for an up-to-date Intel picture, now when
9 the CONOP was actually briefed, I don't know if it was
10 briefed all of the way to CJTF, I assume so. But they
11 would also have the enemy situation from the briefing
12 as well. You know, the initial, and then the
13 consistently updated version through our INTSUM.

Beta 14 LtCol (b)(3)(b)(6): When the assets were pulled on the 12th, what was
15 your understanding why?

Black 16 CPT (b)(3)(b)(6): I heard it was for a counter ID mission and P2K
17 that is what I heard. Which kind of more infuriated
18 me because counter ID, I know that it's a huge thing,
19 but we actually had guys out there that were not in an
20 established COP, or VPB, or base and because of
21 historical instances from the area, everyone knew that
22 it was an area that was full of assholes. I mean
23 every single one for these villages, Colligo,
24 Aquantolay, Atoza, Aranus, they were all full of bad
25 guys. We knew it was a dangerous area, so.

Beta 26 LtCol (b)(3)(b)(6): Were you expecting the unit that went up there to
27 be attacked?

Beta 28 LtCol (b)(3)(b)(6): We kind of thought possible probing attacks
29 leading up to the most dangerous course of action
30 which would be what we call a Ranch style House attack
31 because on 22 August 07 we inherited a base that was
32 very poorly constructed. The location of it wasn't
33 the best. I was just on high ground from a village
34 called Aranus which was the location that all of the
35 bad guys were all from. And literally, we got
36 captured video of the attack and they did a kind of
37 like an OPOrder for the attack. The guy that was in
38 charge, Hazrat Omar, had a cleaning rod out and was
39 literally saying, "okay, now you guys will come when
40 we start firing and you guys come in" and had military
41 diagrams, little enemy icons on the map and showing
42 exactly where everyone is going to go. It was very

1 well orchestrated. And the enemy up there, we figured
2 out that it is their modus operandi, if they want to
3 they can mass and then come up with a very good and
4 well-planned attack and possibly overwhelm a COP. And
5 that was our most dangerous course of action.

Beta 6 LtCol (b)(3)(b)(6): Why a probing attack versus the most dangerous
7 determination was a kind of overwhelming attack, from
8 your analysis, why did you reach that conclusion?

Black 9 CPT (b)(3)(b)(6): Well, sir, the most likely attack would be a
10 probing attack because a new base, they don't know
11 exactly where our weapon systems are and our defensive
12 perimeter, so they were just kind of testing it out to
13 see the fields of fire from our OPs, to see how
14 responsive the mortar team is, to see if our ITASs or
15 LRASSs, if we had one, and in Wanat, specifically an
16 ITAS, if that was able to pick them up on specific
17 trails. Just kind of small probing attacks to see our
18 capabilities and motor abilities and then exploit
19 those when they conduct a massing attack.

Beta 20 LtCol (b)(3)(b)(6): When you're doing your most likely and most
21 dangerous analysis were you aware that negotiations
22 for land had been going on for a while?

Black 23 CPT (b)(3)(b)(6): Yeah, I was not involved in that, sir.

Beta 24 LtCol (b)(3)(b)(6): Where you were that had been taking place or were
25 you not aware?

Black 26 CPT (b)(3)(b)(6): Well, because of all the new COPs that we have
27 set up, I knew that we had to negotiate for the land
28 that we cannot just throw a base on a piece of land
29 and kind of be like, hey that is ours now. So I mean,
30 yeah, I figured we were doing something like that but
31 I do not know any of the specifics, sir.

Beta 32 LtCol (b)(3)(b)(6): Would it have impacted your analysis at all if
33 you had known that over the course of a couple months
34 negotiations have been going on for a particular
35 location?

Black 36 CPT (b)(3)(b)(6): It would have effect my analysis if I had
37 actually seen the place where they were going to put
38 the base because I went there with Rock 6 and Bayonet
39 6 on 13 July.

Beta 1 LtCol (b)(3)(b)(6): Who was Bayonet 6?

Black 2 CPT (b)(3)(b)(6): He was a Brigade Commander. So I went there with
3 the brigade commander and battalion commander on 13
4 July later on that afternoon. The location was
5 horrible, I mean it was in the low ground surrounded
6 by the local populace and several houses, and a
7 bizarre was within literally a stone's throw and then
8 the open face to where the VPB was going to be. I
9 mean, there was high ground all around, right across
10 the river you have sheer cliffs, and then just to the
11 east you have two giant spurs that kicked down and it
12 was just--it was a horrible place to even consider
13 putting a base but that is me in hindsight showing up
14 there after the incident had already taken place
15 because you can look at imagery and you're like,
16 "Well, that is not that bad" but once you get down
17 there you realize that you're in a bowl of about a 6-
18 foot depression, I mean, so.

Beta 19 LtCol (b)(3)(b)(6): If you had visited Wanat ahead of time do you
20 think it would've changed your most likely and most
21 dangerous?

Black 22 CPT (b)(3)(b)(6): I don't think it would've changed it, it would've
23 made me more apprehensive, you know, to even move in
24 there, if it were my decision but I don't know, I am
25 not trying to blame anyone or anything like that but
26 you showing up, I saw exactly where they attacked from
27 it was--I mean, it was, I really don't want to use the
28 term "shooting fish in a barrel" because a lot of
29 those guys were my buddies, but, it must've been bad.

Beta 30 LtCol (b)(3)(b)(6): On the 12th when you lost your ISR assets there
31 seem to be lots of energy put behind getting some ISR
32 assets back.

Black 33 CPT (b)(3)(b)(6): Roger.

Beta 34 LtCol (b)(3)(b)(6): At the Battalion level, why is that?

Black 35 CPT (b)(3)(b)(6): Well, because we had a lot of success with ISR,
36 you know with just checking out all of the suspected
37 RAT lines and everything like that and then getting
38 more SIGINT information to provide kind of what the
39 enemy's next course of action and trying to develop
40 that further.

Beta 1 LtCol (b)(3)(b)(6): From the 8th to the 12th, had you had any ISR
2 hits that indicated anything?

Black 3 CPT (b)(3)(b)(6): Negative, but then again that is kind of how they
4 operate also. You know, they will go quiet for several
5 days while they sit there and plan out. And they will
6 not use any signal or communication devices because
7 they know we are actually collecting. They know this.
8 So what they do is connect to ground and do face-to-
9 face or some courier exchange of information. So the
10 fact that we were not getting anything wasn't kind of
11 making me think that nothing was going to happen, it
12 was just we're not getting anything.

Beta 13 LtCol (b)(3)(b)(6): Were there other periods where you would not get
14 anything and nothing--no action would take place
15 afterwards?

Black 16 CPT (b)(3)(b)(6): Roger, sir. And definitely, we did some
17 operations where we cannot get anything and nothing
18 happened and maybe because they were not there or
19 because they squirted out. But for Wanat, we all knew
20 this area was very hostile and the more assets that we
21 had to actually assist them in getting setup, getting
22 a good decent perimeter, and giving them the ability
23 to fend for themselves was necessary. So that is why
24 as soon as the ISR got kanked, we knew it was
25 imperative to get it back.

Beta 26 LtCol (b)(3)(b)(6): Did you receive information from the platoon or
27 Chosen Company regarding any indicators out of the
28 town itself?

Black 29 CPT (b)(3)(b)(6): Um, we went up to two other times before the
30 actual incidence and the elders and everyone started
31 to become very cold especially during our meetings.

Beta 32 LtCol (b)(3)(b)(6): You personally went up?

Black 33 CPT (b)(3)(b)(6): Negative, I did not go up on these two, sir. But
34 all of the elders were very cold and just by talking
35 with people on patrol debriefs, they were not too
36 excited about us being there and stuff like that. And
37 on our ex-fill, both times, we were attacked. The
38 second time it was a complex attack involving an IED
39 on Chosen 6's up-armored and then a close ambush with,
40 I think, one RPG gunner was about 50 meters away; so,
41 very intense close attack. So, I mean, it was--we knew

1 a very credible enemy threat up for. And like I said,
2 the two meetings that we went up there, you know, they
3 were not too excited and I think that Rock-6, I read
4 in the report in one of the patrol debriefs that Rock-
5 6 was like, "are we going to get attacked when we
6 leave?" And an elder was like, "yeah, yeah, you are
7 going to get shot at." So, they even knew the enemy
8 was there, they're just--it is one of those Afghan
9 things where in the elders kind of work both sides and
10 then whoever wins that kind of buddy up with them.

Beta 11 LtCol (b)(3)(b)(6): Did you get any indications or warnings coming
12 down from higher about anything going on in Wanat?

Black 13 CPT (b)(3)(b)(6): We got a lot of HUMINT reports because there is a
14 lot of organizations that have sources all over
15 Afghanistan, you know, a lot of those three letter
16 guys, you know the secret squirrel guys. And we were
17 getting reports from them about the buildup of enemy
18 in Wanat. So we automatically knew that it was not
19 just our sources telling us this, its other
20 organization's sources. So, that just added to the
21 credibility of the building of enemy's situation
22 around the Wanat area.

Beta 23 LtCol (b)(3)(b)(6): Do you recall those reporting started on the
24 emulation of the moved, they moved on the 8th of July,
25 2d Platoon moved up. Did you get some of those
26 indications ahead of time or was it after the move?

Black 27 CPT (b)(3)(b)(6): Like I said, sir, there was about three weeks
28 before we actually moved there and it started out
29 small, you know, this group is moving from the
30 Korengal Valley up there and this group is moving. And
31 then we got reports a week out, stuff like that, that
32 groups from Pakistan were coming in and a lot more
33 threat reporting.

Beta 34 LtCol (b)(3)(b)(6): Did you ever brief, understand that you fused it
35 altogether in your INTSUM and you had a pretty good
36 understanding in the 2 shop. But in the battalion
37 headquarters itself, with the 3 shop and the CO and
38 XO, how was that information shared?

Black 39 CPT (b)(3)(b)(6): It was mainly through the INTSUM and then they
40 also did command updates and daily BUBS, I did not do
41 those, that was mainly Rock-2, CPT Pry. Whenever he
42 was gone on a patrol, I would step in and kind of do

1 the BUBS, but mainly that was him and that is when all
2 of the staff got together and talked about any recent
3 reporting that we received and kind of give an
4 assessment there.

Beta 5 LtCol (b)(3)(b)(6): Lieutenant Colonel (b)(3)(b)(6) Sigma

6 LTC (b)(3)(b)(6): Was your view of ROCK move up to the COP, was it--did
7 you feel that you were planning for a move from point
8 A to point B or for an occupation of the vehicle
9 patrol base subsequent to the move?

Black 10 CPT (b)(3)(b)(6): Well, the way it was first briefed was that we
11 were going to move forces out of Bella and then bring
12 them back to Camp Blessing and then it forces up to
13 Wanat. Now, if it was going to be temporary or
14 permanent, that determination was made pay grades
15 above me.

16 LTC (b)(3)(b)(6): Right.

Black 17 CPT (b)(3)(b)(6): But, I am thinking that if the base is actually
18 set up and it was deemed a suitable location we may
19 have actually had a permanent force there. But, like I
20 said, sir, that is kind of speculation.

21 LTC (b)(3)(b)(6): I guess then maybe I did not ask the question right.
22 When you did your IPB or your contribution to the IPB,
23 did you feel like that IPB was for a vehicle movement
24 from point A to point B or was it?

Black 25 CPT (b)(3)(b)(6): Of an occupation, sir.

26 LTC (b)(3)(b)(6): Okay.

Black 27 CPT (b)(3)(b)(6): Definitely a sustained occupation of however many
28 days but I knew were going to have forces there for
29 quite some time, at least two weeks.

30 LTC (b)(3)(b)(6): Which is why you planned for ISR to go beyond----

Black 31 CPT (b)(3)(b)(6): Exactly, sir.

32 LTC (b)(3)(b)(6): Do you think the IPB that you did for this particular
33 operation was it as robust, less robust, was it about
34 the same, was there anything special about it, or was
35 it the standard?

Black 1 CPT (b)(3)(b)(6): I mean it was probably just as robust as the
2 other CONOPs that we executed. Now, now, we have done
3 larger, more in-depth kind of enemy situation for some
4 CONOPs, but those were, you know, level 2 CONOPs, like
5 ROCK Avalanche for instance happened in October that
6 involved every single one of our companies and a
7 company from the TTF, the Theater Task Force. So,
8 that was a huge operation conducted over 4 or 5
9 valleys, so we did a lot more in-depth analysis, you
10 know, for that. But for this one, I would say just
11 the same, if not better, because our analysis and our
12 knowledge continued growth as we were there and we did
13 this 14 and change months into it.

14 LTC (b)(3)(b)(6): And there was no formal OPORD, no combined arms
15 rehearsal, rock drill or anything for this particular
16 operation; is that correct?

Black 17 CPT (b)(3)(b)(6): I don't remember, sir.

18 LTC (b)(3)(b)(6): So that does not stick out in your mind?

Black 19 CPT (b)(3)(b)(6): It may have happened but I cannot tell you, sir.

20 LTC (b)(3)(b)(6): With respect to, understand your role was ISR, who
21 with respect to platform, that were not lethal
22 platforms, at the company level, if you would have had
23 those platforms that you wanted to have during the
24 attack. Who would have had access to the information
25 that those provided? Would the company commander have
26 known what those platforms were seeing there on the
27 ground?

Black 28 CPT (b)(3)(b)(6): You're talking about the assets that we
29 requested?

Beta 30 LtCol (b)(3)(b)(6): Say if you would have had Predator, which is
31 something you wanted, tell me how that would've helped
32 the company commander on the ground the night of the
33 13th.

Black 34 CPT (b)(3)(b)(6): Roger, as, even before they are in contact, they
35 are constantly updating their headquarters, Chosen CP,
36 which is co-located with us at Camp Blessing with
37 expected enemy locations, if they saw movement up in
38 the mountains, you know, they would get an approximate
39 grid to it, give it to us, and we would have redirect
40 the Predator to the specific location, if we got any

1 SIGINT hit, we would MERC that, that little IM kind of
2 thing. We would MERC that to Chosen CP and then
3 Chosen CP would actually call down to them and be
4 like, "hey, we got some guys talking into his area,
5 they are talking about this." So that is a chain that
6 we used because our S2 guys were the ones who were
7 actually able to talk to these assets and redirect, if
8 need be, so that is why they went through the CP. That
9 and we are not stepping on them if they have any
10 operational information that they needed to provide.

11 LTC (b)(3)(b)(6) You guys used arm platforms in the past?

Black 12 CPT (b)(3)(b)(6): Like Predator?

13 LTC (b)(3)(b)(6) Right.

Black 14 CPT (b)(3)(b)(6): I would say every other day, at least, we
15 normally get Predator. We were pretty much the main
16 effort for our brigade so we got realistically 70% of
17 all ISR assets the brigade ever got.

18 LTC (b)(3)(b)(6) The members you had armed platforms laid on before
19 they report off of this operation?

Black 20 CPT (b)(3)(b)(6): I believe we have Predator scheduled for this
21 operation. We actually had Predator scheduled and we
22 actually received it for the five days or six days
23 before, so Predator was laid on to be in support of us
24 and they got pulled.

25 LTC (b)(3)(b)(6) A-1 assets report for this operation, I know you
26 mentioned that you had talked to brigade and others
27 had talked to higher, was there any discussion that
28 you are aware of with regard to "okay, these things
29 had been pulled and here is our plan to mitigate the
30 risk?

Black 31 CPT (b)(3)(b)(6): The only thing that we, at the brigade level,
32 actually could do to mitigate the risk since shadow
33 could not fly and due to line of sight issues, the
34 Raven, the elevations they could not fly, the only
35 thing that we could have that I could substitute would
36 be the ITAS that they had and that is ground-based and
37 if it intercepts stereo, it loses a lot of its line of
38 sight. So, once they pulled that, that was really
39 damaging. And that's why we fought so hard to actually
40 attempt to get it back.

1 **LTC** (b)(3)(b)(6): And do you know, it is okay if you don't, I'm just
2 curious, any sense of the battalion commander's
3 involvement when obviously this is a big deal when all
4 of the ISR is re-tasked and do you know if he was
5 involved in trying to get it back?

Black 6 **CPT** (b)(3)(b)(6): I know we told him about it and I believe he--I
7 think he contacted the brigade commander Colonel
8 (b)(3)(b)(6) sir. I am not sure though, it did not happen in
9 front of me, so I can't.

Sigma 10 **LTC** (b)(3)(b)(6): Okay, that is all I have for now.

11 **LtGen Natonski:** Going back to the vehicle patrol base versus
12 the COP, if you look at the CONOP's it is for COP
13 Wanat. Do you use the terms interchangeably because
14 you started out talking about a Vehicle Patrol Base
15 and yet you knew that they were negotiating for months
16 and this was going to be a permanent established base.

Black 17 **CPT** (b)(3)(b)(6): Roger, sir. The term COP is more permanent and I
18 believe we used the phrase COP tailored before the
19 incident and before we decided that it may not be such
20 a good idea to keep Coalition base here. And then we
21 refer to it as VPB. It's really just semantics, I
22 think, once they determined that having a base there
23 was not to our advantage that is when, I believe, the
24 terminology changed and we began to say VPB instead of
25 COP.

26 **LtGen Natonski:** After the attack?

Black 27 **CPT** (b)(3)(b)(6): I believe so.

28 **LtGen Natonski:** Who made that decision?

Black 29 **CPT** (b)(3)(b)(6): I think it just came down that we were going to
30 call it a VPB.

31 **LtGen Natonski:** Well, everything in writing referred to it
32 as a COP, there have been negotiations, Afghan
33 laborers to come work on it, but somebody made a
34 decision after--after the battle when it was
35 determined that it would be abandoned that it was now
36 going to be a vehicle patrol base?

Black 37 **CPT** (b)(3)(b)(6): I believe so, sir.

1 **LtGen Natonski:** There were apparently indications and
2 warnings the whole time the platoon was up there.
3 There were sightings up in the hills, five men up on
4 the hills with ITAS, there were residents of the
5 village who indicated that there was going to be
6 attacks, there were an absence of women and children,
7 there were military aged males who were just standing
8 there watching as they built the base, that would've
9 been fed verbally by the platoon commander up to the
10 company TOC. Is that right?

Black 11 **CPT** (b)(3)(b)(6): Roger, sir. A lot of that information went to the
12 company CP and was then transferred to us.

13 **LtGen Natonski:** So you had all of that, hence, the necessity
14 or importance of getting the Predator?

Black 15 **CPT** (b)(3)(b)(6): Exactly, sir.

16 **LtGen Natonski:** Do you know what day the Predator ended?

Black 17 **CPT** (b)(3)(b)(6): I don't have my request in front of me, sir.

18 **LtGen Natonski:** Okay. The CONOP's talks about the
19 establishment of COP Wanat from 8 to 10 July; what was
20 supposed to happen after it? Was there a plan after
21 that in terms of fire support or ISR?

Black 22 **CPT** (b)(3)(b)(6): I really don't know, sir.

23 **LtGen Natonski:** I mean, if you look at that everything is
24 geared for the 8th through the 10th.

Black 25 **CPT** (b)(3)(b)(6): Roger, sir.

26 **LtGen Natonski:** So, what did they do for ISR on the 11th
27 through 12th?

Black 28 **CPT** (b)(3)(b)(6): Well, I requested it out past that because for
29 all of my--for all of our operations, what I would do
30 is that I would say--I would justify getting it a few
31 days before just for an IPB, for preparation of the
32 area, and then a few days after, if it was a kinetic
33 operation it would be for BDA-SSE. In this case it
34 was for force protection and I had requested for
35 several days after-- like I said, sir, without my
36 request in front of me, I wish I had them because I

1 could actually tell you exactly what day that I
2 requested.

3 **LtGen Natonski:** Are the requests around?

Black 4 **CPT** (b)(3)(b)(6): They should be on the collection management tool
5 which is the system in Afghanistan where all requests
6 are actually catalogued and saved.

India 7 **LtGen Natonski:** You mentioned that you called Sergeant
8 (b)(3)(b)(6) up and brigade S2 and you think that Captain
Magenta 9 (b)(3)(b)(6) called Colonel (b)(3)(b)(6) Fox?ot

Black 10 **CPT** (b)(3)(b)(6): I know he did, sir.

11 **LtGen Natonski:** Okay. I mean, there was obviously a sense of
12 urgency----

Black 13 **CPT** (b)(3)(b)(6): Roger, sir.

14 **LtGen Natonski:** Had you in your tour ever called higher
15 headquarters in such a manner that you did that night
16 when you wanted the ISR based on all of the I&W?

Black 17 **CPT** (b)(3)(b)(6): A couple of other times----

18 **LtGen Natonski:** Were you the adamant where you rolled in and
Magenta 19 Captain (b)(3)(b)(6) rolled in. You told your battalion
20 commander, I don't know whether he called, we can ask
21 him, but you know that there had been previous ----

Black 22 **CPT** (b)(3)(b)(6): Roger, sir. Most of the time when I call and I
23 am yelling, it is when an attack is actually
24 occurring. Like I can recall one time I called up the
25 collection manager at the time, Lieutenant Darring at
26 brigade, and one of our COPs, the enemy was actually
27 closing within 100 meters, COP Chowkay, just down to
28 the south.

29 **LtGen Natonski:** So this was not the first time that you had
30 called in a sense of urgency requesting ISR?

Black 31 **CPT** (b)(3)(b)(6): Negative. Also Ranch House, I mean, there are a
32 lot of enemy actions over there.

33 **LtGen Natonski:** And since Predator was not available and you
34 mentioned that none of the other assets are really
35 suitable for the area, what about an Apache?

Black 1 CPT (b)(3)(b)(6): We could----

2 LtGen Natonski: Did you ever use that as an ISR fire point?

Black 3 CPT (b)(3)(b)(6): It is technically not ISR, sir, so I cannot
4 request it. The S3 would have to request it and it
5 would be a non-standard ISR.

6 LtGen Natonski: And you know if that was requested for that
7 evening?

Black 8 CPT (b)(3)(b)(6) I do not believe so, sir.

9 LtGen Natonski: So that would have been a little bit out of
10 the ordinary? Okay, thanks.

11 MG Perkins: You talk about one of the things that you
12 routinely deal with during the IPR is site analysis,
13 etc. Did you do that at Wanat because you said that
14 you were out there and saw that it was in a valley and
15 in a dead space. Was there a thorough line of site
16 analysis both as sort of main COP and the OP?

Black 17 CPT (b)(3)(b)(6): There was a line of sight analysis product that I
18 know that we got and then we sent them to Chosen
19 Company.

20 MG Perkins: Yes.

Black 21 CPT (b)(3)(b)(6): And they did a site survey of the area several
22 times when they went up there but it may be one of
23 those things, you know, hindsight after you know what
24 happens and----

25 MG Perkins: I know, I was just wondering in that process of
26 line of sight, you don't recall it sort of jumping out
27 after--a lot of terrain tools you use, like holy cow
28 this is ----

Black 29 CPT (b)(3)(b)(6): Negative, sir.

30 MG Perkins: Okay.

Black 31 CPT (b)(3)(b)(6): Everything looked good.

32 MG Perkins: To your knowledge, one was done with some type of
33 terrain tool?

Black 34 CPT (b)(3)(b)(6): Roger, sir.

1 **MG Perkins:** It was done. As you said, there sort of been
2 this building intel string from all of the agencies as
3 well, again, just from your assessment being there in
4 the TOC and at the time talking to brigade, from the
5 Intel part of view, were you coming to some analyses
6 and conclusions as far as most dangerous and most
7 likely that you thought was being unheeded or another
8 words were people sort of discounting all of those are
9 where they really paying attention to them and trying
10 to work through it?

Black 11 **CPT** (b)(3)(b)(6): I really think they were paying attention, sir.
12 Chosen Company, one of the better if not the best
13 company that we have, they have actually been up there
14 awhile and they have been in these remote COPs and
15 they kind of know vulnerabilities and how to set up
16 your claymores and just how to be in a remote area and
17 still defend yourself effectively. So, I think that
18 this company was----

19 **MG Perkins:** Paying attention, even at the battalion and
20 brigade, were they, in your mind, paying attention to
21 this intel string?

Black 22 **CPT** (b)(3)(b)(6): I believe so, sir, definitely.

23 **MG Perkins:** And with that you are saying that there is normal
24 flow of intel, intel down. As you would take intel
25 and send INTSUMs up, would you then get guidance back
26 from brigade or division saying, "look, see this one
27 piece here, can you refine this? Can you apply another
28 asset?" In other words, would you get direction based
29 on you sending it up to do something more with that?

Black 30 **CPT** (b)(3)(b)(6): Not that I would recall, sir. But Colonel (b)(3)(b)(6) Foxrot
Magenta 31 may have talked to Captain (b)(3)(b)(6) about something like
32 that and then I would just kind of get the--from
Magenta 33 Captain (b)(3)(b)(6) Magenta

34 **MG Perkins:** You may get the task, but you are not sure where
35 the person who said it.

Black 36 **CPT** (b)(3)(b)(6): Exactly, Sir.

37 **MG Perkins:** I guess a similar question, maybe you don't have
38 the insight on it, but the same thing when you were
39 passing things down to Chosen, would they routinely

1 come back saying, kind of give you their PIR, "hey, I
2 need you to take a look at this," or something?

Black 3 **CPT** (b)(3)(b)(6): Roger, sir. And the good thing with Chosen
4 Company, since they were co-located with us at Camp
5 Blessing, Chosen6 would come into the S2 shop a lot
6 and would kind of sit down and nug out the
7 information, "all right, what do you think about this
8 village and this?" And

9 **MG Perkins:** Was he a sort of the main point of contact that
10 you worked with at the company rather than the FSO or
11 XO or something like that? Was he sort of like the
12 intel guy for the company?

Black 13 **CPT** (b)(3)(b)(6): Well, the FSO and the FS-NCO, those were our guy-
14 -our go-to guys----

15 **MG Perkins:** Right, right, right.

Black 16 **CPT** (b)(3)(b)(6): But Chosen-6, a great commander, he just wanted
17 all of the information himself.

18 **MG Perkins:** So, he was actively engaged as a commander in the
19 Intel process.

Black 20 **CPT** (b)(3)(b)(6): Definitely, sir.

21 **MG Perkins:** You said that you are the collection manager?

Black 22 **CPT** (b)(3)(b)(6): Roger, for the battalion, sir.

23 **MG Perkins:** For the battalion. Where would you get the
24 majority of your ISR focus or prioritization prompt
25 from the 2, the 3, the commander? I mean, who would
26 sort of give you that kind of guidance?

Black 27 **CPT** (b)(3)(b)(6): Well, for an instance like this, the S3 and the 2
28 would kind of get together and develop the CONOP and
29 then the 2 would kind of say, "I want to focus on
30 these specific areas because of the most likely and
31 most dangerous. We need to check out these AIs" and I
32 would make sure that I had those templates and include
33 those in my request.

34 **MG Perkins:** And then as you would then pass it up, have
35 discussions with brigade and find out about division
36 and what you are going to get or something. Would you
37 then sort of then reengage the 2 and the 3 and say,

1 "this is what we have, this is what we got, this is
2 going to be my prioritization," you know sort of
3 complete the circle so that the--in other words, the
4 operators kind of gave you the request, did you close
5 the loop back with them saying "this is what we got
6 and this is what I am going to do with it," just as it
7 they would know what you have?

Black 8 **CPT** (b)(3)(b)(6): We would never come and go back to the 3 shop,
9 after recounting of the guidance, mostly ISR handling
10 would be internal to the S2. I would kind of get my
11 refined guidance from the 2 and then I would go ahead
12 and execute my RFCs when the assets come on station
13 against that request. I would make sure that the OPs
14 guys had the specific areas that we need to look at
15 and then take out a map and kind of show them a little
16 bit and that are really where the NCOs kind of helped
17 us out.

18 **MG Perkins:** So, what if when you kind of go through the whole
19 process they came back that you had NAIs that were not
20 covered. Who let the operator know that was the case
21 so that they could negate it somehow?

Black 22 **CPT** (b)(3)(b)(6): What we could do is that we could dynamically re-
23 task to a location that was not specified in the RFC,
24 as long as it was within 5 nautical miles, we would
25 not have an issue with it. So, if Chosen Company
26 said, "hey, we have five guys up on the hill
27 approximately this grid," we could go ahead and swing
28 or salute a camera over there and then confirm or deny
29 the presence of five guys with flashlights and then
30 confirm or deny the presence of five guys with
31 flashlights and weapons, or whatever.

32 **MG Perkins:** But I guess what I'm saying is if you had NAIs or
33 something like that that maybe an operator thought was
34 being covered and you not covered it at all, was he
35 routinely advised, "look, I have nothing covering this
36 dead space," or something?

Black 37 **CPT** (b)(3)(b)(6): Roger, when my guys, well, whenever we get an
38 asset--the day that I would get the request and then
39 if there were additional locations that were not
40 included on that, they can always, like I said, tell
41 the Predator or the FMVS to actually look at a
42 specific area. Um, there is a lot of flexibility
43 within that area. Now if something else happens way

1 over there, not so much, but that is where the
2 communication, the ground up intel reporting, from the
3 guys on the ground looking through their ITAS, we
4 would cross-queue that with another FMVS and that
5 really worked out a lot for us.

6 **MG Perkins:** Now did you say that you lost a pred-feed on the
7 12th?

Black 8 **CPT** (b)(3)(b)(6): Not the feed, the actual sortie.

9 **MG Perkins:** Well, the sortie, you lost that resource on the
10 12th?

Black 11 **CPT** (b)(3)(b)(6): Roger, sir.

12 **MG Perkins:** So, midnight of the 12th; so in other words,
13 about 4 or 5 hours before the attack?

Black 14 **CPT** (b)(3)(b)(6): I don't know exactly what time; I know it was in
15 the evening. I believe it was----

16 **MG Perkins:** The evening at the end of the day on the 12th?

Black 17 **CPT** (b)(3)(b)(6): I believe it was early evening, somewhere around
18 there, like, I know it was dark out and Captain Pry
19 was still there.

20 **MG Perkins:** So within 12 hours of the attack, probably?

Black 21 **CPT** (b)(3)(b)(6): Roger, within 12 hours or right at 12 hours, sir.

22 **MG Perkins:** And then did Chosen Company know about it?

Black 23 **CPT** (b)(3)(b)(6): Um.

24 **MG Perkins:** Did they know that you did not have the asset
25 available that morning? Say when they did stand to
26 the morning at 0400.

Black 27 **CPT** (b)(3)(b)(6): I did not specifically tell them, but I believe
28 my Ops guys did. Whenever we lost an asset,
29 especially when it is in support of an operation----

30 **MG Perkins:** Did you let the 3 guys know that?

Black 31 **CPT** (b)(3)(b)(6): Well, the 3 guys knew.

1 **MG Perkins:** Okay, so the 3 shop knew that the battalion did
2 not have coverage starting whatever from sometime on
3 the 12th?

4 **CPT** (b)(3)(b)(6): That we lost all ISR, the 3 knew, the commander
5 knew, and our Ops guys knew, and our Ops guys normally
6 are supposed to say, "Hey, you know no sorties----

7 **LtCol** (b)(3)(b)(6): And who would they tell that to?

8 **CPT** (b)(3)(b)(6): They would tell that to the Chosen CP. Now, I
9 did not see them do it, so I am not sure they did it
10 this time.

11 **MG Perkins:** Okay, I understand, but that would be the normal
12 procedure?

13 **CPT** (b)(3)(b)(6): Exactly, sir.

14 **MG Perkins:** Okay, thanks.

15 **LtCol** (b)(3)(b)(6): I am pretty sure that when we talk to the platoon
16 sergeants, we asked that question, "Did you know that
17 you lost your ISR?" And think that I might remember
18 that they said, "Yes, we knew,"

19 **MG Perkins:** Yes, I remember talking to him.

20 **LtCol** (b)(3)(b)(6): When you initially did your IPB, was it late
21 June?

22 **CPT** (b)(3)(b)(6): I really don't know, sir. I am sure, the COP was
23 being developed late June. So, we probably created
24 these slides somewhere around that time.

25 **LtCol** (b)(3)(b)(6): When would you have put your ISR request in
26 relation to that IPB?

27 **CPT** (b)(3)(b)(6): I probably did it in like mid June sometime. As
28 soon as I got the, like the five W.'s, pretty much,
29 you know, location, a time, and a rough CONOP, I
30 immediately put in my request. Just so division knew
31 that, "hey, this is sitting here and this is sort of
32 priority." So when other stuff came in, it kind of
33 slid underneath the bus and we maintained priority.

34 **LtCol** (b)(3)(b)(6): From the time that you submitted that ISR request
35 up until the execution of Operation Rock Move, were

1 you aware of any combat action that took place in the
2 Waygal?

Black 3 CPT (b)(3)(b)(6): There were those two attacks specifically just
4 south of Wanat.

Beta 5 LtCol (b)(3)(b)(6): And when were those attacks?

Black 6 CPT (b)(3)(b)(6): I don't remember exactly when those occurred, but
7 they ----

Beta 8 LtCol (b)(3)(b)(6): Coming back from the Shuras?

Black 9 CPT (b)(3)(b)(6): Exactly, sir. And there were some attacks when--
10 right before we left Bella, like there were a few
11 mortar attacks, there was one specifically that there
12 was a mortar attack and then one of the OPs actually
13 saw 3 guys coming down off the hill, get into a Hilux
14 truck and we just happen to have a combat resupply, so
15 we had an Apache in the area. Sent the Apache up
16 there and dusted off the Hilux. The three guys were
17 bad but there was a bunch of civilians in there, too.

18 MG Perkins: Were those the doctors?

Black 19 CPT (b)(3)(b)(6): Roger, sir.

Beta 20 LtCol (b)(3)(b)(6): So from the time that you put in your ISR request
21 in mid-June, was there ever a--did you change or
22 modify your ISR request before execution?

Black 23 CPT (b)(3)(b)(6): Negative.

Beta 24 LtCol (b)(3)(b)(6): Were there any of the combat action, to include
25 the strike on that truck, would that normally cause a
26 change in an ISR request or a change in the situation?

Black 27 CPT (b)(3)(b)(6): It would only change my justification which my
28 justification was already solid enough, you know,
29 moving to a new base. It would not require me to put
30 in any additional NAIs on the request. And if there
31 were any, what we would do would just on-the-fly, kind
32 of like Chosen Company sees three guys in the
33 mountains, here is the approximate grid, go look;
34 "Hey, we got a report--a HUMINT report two days ago,
35 did not change our RFC, this Bondey up in the
36 mountains may have some guys." We would just send
37 them there. I would not refine it because literary

1 that would eat up a lot of my time just continuing to
2 refine everything, everything would be annotated, and
3 then we just ad hoc it; Ad hoc it specific guidance to
4 the operator.

Beta 5 **LtCol** (b)(3)(b)(6): From your position as the collection manager from
6 the 8th to the 12th of July, would you consider the
7 ISR assets that were in support of the battalion to
8 provide--was that the ISR assets to provide continuous
9 coverage?

Black 10 **CPT** (b)(3)(b)(6): It was not continuous, we had it probably about
11 two hours before light and then--we had it going from
12 a couple hours after the sun went down to about two
13 hours after sunup because that is when, through our
14 analysis and stuff, the enemy in a specific area in
15 the Wanat, that is when they move. They move at night
16 and then they attack right in morning.

Beta 17 **LtCol** (b)(3)(b)(6): So would you consider the assets that you had
18 adequate coverage?

Black 19 **CPT** (b)(3)(b)(6): I was ecstatic with the coverage that we had,
20 prior to them being pulled of course. But we had
21 adequate coverage, I would say, because we had FMV, we
22 had SIGINT sorties, at least one a day--at least one
23 SIGINT sortie every day.

Beta 24 **LtCol** (b)(3)(b)(6): That would be the same time in the evening.

Black 25 **CPT** (b)(3)(b)(6): Roger. So, I mean, we were getting tons of
26 coverage, in my opinion, and I was happy. But on the
27 12th, everything went away.

28 **MG Perkins:** Prior to it all going away on the 12th, with all
29 of that coverage, had you picked up any movement?

Black 30 **CPT** (b)(3)(b)(6): There were some SIGINT hits and there were some
31 hot spots.

32 **MG Perkins:** But any visual?

Black 33 **CPT** (b)(3)(b)(6): But no mass movement or confirmed enemy movement
34 that we could actually strike off of.

35 **MG Perkins:** I guess, and we will never know, if you go back
36 and take a look at it, is it possible that a lot of
37 these folks could have already been in Wanat, even

1 before you lost the coverage and you just did not pick
2 them up?

Black 3 CPT (b)(3)(b)(6): I really do not think they were in the village
4 for four or five days before we went there. I really
5 do not think that it's a--I mean, it is a possibility--
6 ---

7 MG Perkins: No, not before you went there but before the
8 12th, before you lost the coverage on the 12th. In
9 other words, had they infiltrated in, say on the 11th?

Black 10 CPT (b)(3)(b)(6): I would say a few people, mainly, LP/OPs, but not
11 the main assault force. The main assault force, like
12 they came from Qualygal and from the North.

13 LtGen Natonski: They did see the groups of five in the
14 hills----

Black 15 CPT (b)(3)(b)(6): Roger.

16 LtGen Natonski: Will the Taliban move in large groups at
17 night? Even they knew that the Predator was up, but
18 that they make it--did you ever see large groups?

Black 19 CPT (b)(3)(b)(6): We saw large groups after the attack. Before the
20 attack, we did not see any.

21 LtGen Natonski: I mean, what about historically?

Black 22 CPT (b)(3)(b)(6): Historically, they actually learned to move in 3
23 to 5 man teams, anything more than that and that
24 produces too large of a signature and then our ISR is
25 able to pick them up. If they move in 3 to 5 man
26 teams, they can effectively move and not be--and not
27 draw suspicion upon themselves, pretty much.

28 LtGen Natonski: Does Predator pickup heat signatures also?

Black 29 CPT (b)(3)(b)(6): Roger, sir. But 3 to 5 guys, especially a lot of
30 this is wooded areas; if they move under the canopy
31 you may get a glimpse of 3 to 5 guys, maybe. But if
32 you're moving 15 to 20 guys, you're going to see a
33 larger signature movement through that area. So that
34 is why they break them up into the really small
35 groups. That and when they are conducting an attack,
36 it is normally 2 to 3 or sometimes 3 to 5 man
37 positions because if you got six or seven different

1 positions firing, well, all of our fire support assets
2 have to be divided now and we cannot concentrate our
3 fires. I mean, they're very skilled.

4 **LtGen Natonski:** What about detecting the absence of the
5 civilian population?

Black 6 **CPT** (b)(3)(b)(6) The Company was able to do that.

7 **LtGen Natonski:** I mean they saw people surveying them right
8 across the concertina wire.

Black 9 **CPT** (b)(3)(b)(6): Roger.

10 **LtGen Natonski:** But they also knew--I don't think families,
11 at least women and children are cognizant of worrying
12 about Predator, they would just be kind if----

Black 13 **CPT** (b)(3)(b)(6): Negative, and if there was a mass exodus, we
14 would've been able to pick that up on ISR. But I am
15 sure----

16 **LtGen Natonski:** But do they do that to, is that a TTP or do
17 they just kind of a family here and a family there and
18 just kind of get out?

Black 19 **CPT** (b)(3)(b)(6): It would probably be just a family by family,
20 sir.

21 **LtGen Natonski:** Yes.

Black 22 **CPT** (b)(3)(b)(6): As soon as someone comes in and says, "everyone
23 get out" and starts waving it AK and forcing people.
24 That is a larger signature and that will create more
25 of a stink and more intel reporting through HUMINT and
26 SIGINT than actually going into someone's house and
27 saying, "I suggest you leave now because this is going
28 to happen eventually."

Beta 29 **LtCol** (b)(3)(b)(6): And that they could have moved during the day?

Black 30 **CPT** (b)(3)(b)(6): Exactly. And that would not have been of any
31 alarm.

Black 32 **LtGen Natonski:** Okay, I'm going to give you an order here.
33 Captain (b)(3)(b)(6) you are ordered not to discuss the
34 testimony that you provided today with anyone other
35 than members of the investigation team. You will not
36 allow any witness in this investigation to talk to you

1 about the testimony that he has given or which he
2 intends to give. If anyone should try to influence
3 your testimony or attempt to discuss your testimony,
4 you are instructed to notify Lieutenant Colonel (b)(3)(b)(6) Beta
5 or Lieutenant Colonel (b)(3)(b)(6) Do you understand that?

Sigma

Black

6 CPT (b)(3)(b)(6): Yes, sir.

7 LtGen Natonski: Okay, thank you for your service to our
8 country and to the Army and we all wish you the best
9 of luck as you return to Afghanistan.

Black

10 CPT (b)(3)(b)(6): Thank you, sir.

11 LtGen Natonski: And thanks for coming in on your leave. We
12 certainly appreciate that.

Black

13 CPT (b)(3)(b)(6): No issues, sir.

14 [Investigation opened at 1305 hours, on 13 October 2009.]

CERTIFICATION OF VERBATIM TRANSCRIPT

Subj: TESTIMONY OF CAPTAIN (b)(3)(b)(6) Black USA, GIVEN ON
13 OCTOBER 2009, AT VICENZA, ITALY

In accordance with section 0214 of JAGINST 5800.7E, I certify
that the subject transcript is an accurate verbatim transcript.

(b)(3)(b)(6) Owl

Major, U.S. Marine Corps
Judge Advocate

16 Nov 09
DATE