[The testimony opened at 0811, 20 October 2009.]

LtGen Natonski: I'm Lieutenant General Rich Natonski, United States Marine Corps, I have been appointed by the Commander of U.S. Central Command to conduct an investigation into the facts and circumstances surrounding the Combat action at Wanat, Afghanistan, during July 2008. Major General David Perkins, United States Army, has been assigned as a Deputy Beta Investigating Officer, Lieutenant Colonel (b)(3),(b)(6) and Lieutenant Colonel (b)(3),(b)(6) are Judge Advocates assigned to the investigation team. Sigma

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

Prior to coming on the record today, you signed a Privacy Act statement, is that Correct?

Hotel **COL** (b)(3),(b)(6): Yes, sir.

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

[The witness was sworn.]

Beta **LtCol** (b)(3),(b)(6): Thank you, sir. Please be seated. Could you please state your full name, spelling your last?

Hotel **COL** (b)(3),(b)(6): (b)(3),(b)(6). Hotel

Beta **LtCol** (b)(3),(b)(6): Sir, what is your current unit and that unit's location?

Hotel **COL** (b)(3),(b)(6): Current unit is Department of the Army, Inspector General's Office and the office is in the Pentagon. My office is in Crystal City.

Beta **LtCol** (b)(3),(b)(6): And you are currently a Colonel in the U.S. Army, sir?

Hotel **COL** (b)(3),(b)(6): That's correct.

Beta **LtCol** (b)(3),(b)(6): In July 2008, what was your unit and that unit's location?

Hotel **COL** (b)(3),(b)(6): July 2008, I was--my unit was the 173rd Airborne Brigade Combat Team, which was the headquarters for Task Force Bayonet. The location of the unit was Headquartered in Jalalabad, Afghanistan, which is in NANGHAR province.

Beta **LtCol** (b)(3),(b)(6): And in July 2008, sir, what was your duty assignment?

Hotel **COL** (b)(3),(b)(6): I was a Deputy Commanding Officer at that time for Task Force Bayonet.

Beta **LtCol** (b)(3),(b)(6): Sir, what is your Occupation Field?

Hotel **COL** (b)(3),(b)(6): I am an Infantry Officer.

Beta **LtCol** (b)(3),(b)(6): And, in July of 2008, sir, how long had you been with the 173rd?

Hotel **COL** (b)(3),(b)(6): I had been there approximately 14-15 months. I arrived at--since May of 2007. I arrived to the unit--I signed into the unit in May of 2007 and then I--and then after signing into the unit in BAMBURG, Germany 13 days later, I got on the plane and I flew to Afghanistan and I joined the unit in Afghanistan. But, I did participate in the MRX with the Brigade when it went through at Hohenfels.

Beta **LtCol** (b)(3),(b)(6): Sir, could you describe what the duties of the Deputy Commanding Officer are?

Hotel **COL** (b)(3),(b)(6): Duties of the Deputy Commanding Officer are typically whatever the Commander doesn't want to do is the bottom line. But, when the Commander is not around, to be in charge and, for the most part, Delta Colonel (b)(3),(b)(6), the Brigade Commander, was around with the exception of when he took leave in February at which time I exercised the full duties as the CO. My primary functions that I really fell down under--that I covered down on were really working closely with provincial reconstruction teams because the span of control of the Brigade Commander was so large with all the Combat Elements, all the Task Forces underneath him, in addition to the Afghan National

Security Forces, and then for PRTs and many cases I worked very closely with the PRTs. I managed the Command's Emergency Response Program for the Commander, which was well over 200 million dollars in projects. I oversaw the road construction as part of that, which also includes the Afghan Engineer District. And, a lot of that was because we needed a lot more supervision in those areas and as the 2IC as an O-6 I know I could make a big difference and I felt I did, so I covered down in those areas. Whenever there was a requirement for an investigation that may involve a Battalion Commander, I was typically the one who would get the orders to conduct that investigation when we were--in the AO Bayonet. So, I did a series of investigations for the Brigade Commander and also the Commanding General, not just General Schloesser but also General Rodriguez during my 14-15 months in Afghanistan. So, doing this investigation Wanat was kind of--you know I had some--quite a bit of experience doing investigations before that, as well.

Beta

LtCol (b)(3),(b)(6): In your role as DCO, sir, earlier in your tour, did you participate in planning for the establishment of any Combat Outposts, other than Wanat, sir? Did the Brigade go through any planning processes for establishing?

Hotel

COL (b)(3),(b)(6): The Brigade, to give you some context on that, the Brigade replaced the 3rd Brigade, the 10th Mountain Division, commanded by Colonel (b)(3),(b)(6) Allium (b)(3),(b)(6) actually is his proper name. And, my position prior to coming to the 173rd was I was the Chief of Force Generation for the Supreme Headquarters Allied Powers Europe and I worked for General Jones as SACEUR and my direct boss was Major General Joseph Stein. My primary responsibility was Generation of Forces for ISAF, getting our NATO allies to come up to fulfill the mission--the NATO mission in ISAF and I was there from 2004 to 2007. Prior to that, I was in Recruiting for 2 years and I understood the necessity to generate forces because we had a big fight going on in Iraq and I also knew how difficult it was to recruit Soldiers. So, during that time I traveled to Afghanistan 10 different times, several times with SACEUR and I got to see Afghanistan the way things were working. I knew the Infantry Brigade Commanders. They were friends of mine, they were

peers of mine that I had grown up with and I would--when I would see them, I would get a different version of--or sometimes a different version of what you might read in the Press and what was going on in Afghanistan, so I felt--I feel pretty knowledgeable about the fight in Afghanistan over the past 4 to 5 years, so I had brought a lot of experience with me at that level going into the position. So, going into the planning we fell down--we covered down on what 3-10 did in terms of setting up their combat outposts. They were extended 4 months. Part of that was my job at Shape. We prepared a--we prepared a request to the new Secretary of Defense, Secretary Gates when he came in to keep an additional Brigade in Afghanistan because CENTCOM wanted to pull them out and we knew that we needed to keep all the forces in there. So, we prepared this assessment for Secretary Gates, the SEC here at the time was General Craddick. General Craddick gave him different levels of risk and he said we need to try to mitigate the risk with a whole Brigade Combat team, if possible. And then we had higher levels of risk if we couldn't get that full Brigade Combat team. Secretary Gates agreed to provide that additional Combat team keeping in mind that this was while the surge was going on in Iraq and I think that really helped us. A consequence of that decision was the 3rd Brigade 10th Mountain Division was extended in their combat tour in Afghanistan by 4 months. Their battle space went from all of RC East and they had actually started out in RC South where ISAF had taken over from them. And when I say ISAF, it was primarily the British, the Dutch, the Canadians that took over for them in RC South. And so Colonel Nicholson and his guys then had all of RC East when they were extended for 4 additional months, their battle space shrunk from all of RC East to 4 provinces, which were AO Spartan, which were Nangahar, Nouristan, Lagman, and Kunar provinces. So they went from having roughly a Battalion Task Force covering down on those four provinces to having a whole Brigade Task Force. So, they very rapidly built up Combat Outposts and we covered down on them when we relieved them four months later. So, in terms of planning, there was some joint planning done, but it was mainly 3-10 that called the shots in terms of where we are going to put Combat Outposts initially because they knew the Battle Space the best. And, Colonel

Nicholson having seen many Brigade Commanders circulate through Afghanistan, my opinion, is the best Brigade Commander I'd seen of the several that I had watched and I had heard Brief and give their coin strategies in Afghanistan and I am not the only one that had that opinion, but they came up with the COPS, they did, given the limited amount of time they had, and they built them up as best they could for us and we fell in on their plan initially and Colonel Delta (b)(3),(b)(6), he made… him with his Battalion Commanders, made some choices that, "Hey, we need to close a couple of these," because we felt we were a little bit overextended, but we were very careful because we didn't want to just start closing down Combat Outposts because that's what we need to do. We need to get those Combat Outposts out there and with the population so we could--help press out, not just security, but more importantly governance and development into those areas-there was more remote areas. So, in terms of planning, my role was limited. I was aware of the big picture and I hopefully gave you a good synopsis of kind of how we fell on the Combat Outposts and Forward Operating Bases that we did.

Beta **LtCol** (b)(3),(b)(6): So, prior to Wanat, sir, the emplacement of Wanat, the 173rd did not establish any new emplacements during your tour?

Hotel **COL** (b)(3),(b)(6): We did and I can't tell you the exact specifics on those. We closed down a couple of Combat Outposts and we opened some other ones. I think Colonel Delta (b)(3),(b)(6) could give you a better--better details on that. There were a couple in NANGAHAR that we--that we initially established as Vehicle Patrol Bases and we built up to full blown FOBs. We built--I am trying to remember, one that was built up was, that was in Nangahar was Ghoshta--Ghoshta Forward Operating Base, which is in Northeastern Nangahar. We also consolidated a couple of Combat Outposts that were in AO Rock and then again if you ask Colonel (b)(3),(b)(6) and Delta Diamond Colonel (b)(3),(b)(6), they will be able to give you more specific details on that and we did close down a couple of Combat Outposts. And, when I say consolidate, that also resulted in the closure of a couple of Combat Outposts, but they would be able to give you more precise details on exactly what that

entailed. I will tell you that it was very complex--very complex activity in terms of being able to close down a Combat Outpost. For instance, one of the Combat Outposts that we fell in on in AO Rock was Ranch House Combat Outpost, which was attacked in the Summer of 2007 shortly after we got there. We were planning on closing that down. It is resource intensive to close down a Combat Outpost because you have these Combat Outposts were only accessible by helicopter, so you had to--you had to bring everything out and it was very complex deliberate operation to close those down. But, in order to--to have the sufficient forces to establish another Combat Outpost, you had to close one down. So, again----

Beta

LtCol (b)(3),(b)(6)**:** Why is that, sir?

Hotel

COL (b)(3),(b)(6)**:** Because we were--we basically for the Forces we had, most of them were committed to Combat Outposts and FOBs. We really had very limited Reserves, although I will tell you, if you look-read the Wanat investigation as an example, all of these FOBs had enough Forces available so that if someone was hit, they could rally additional troops to come to the aid. For instance, Task Force Rock, you read the report. They had a Company--or a Platoon QRF that came out of Chosen Company that was there with just over an hour that drove to Wanat from Camp Blessing. Of course, if they had been attacked at Camp Bella, which was the FOB that closed down a week prior, or just a couple of days prior, which the Forces were needed to establish Wanat, there's no way they could have got up there by ground. It was only accessible by air. They also had another Platoon from Attack Company that was able to get up to Wanat within a few hours. They also drove up and again, so there was a QRF that they were able to muster up. And then they got another platoon that came out of B Company in the Kurngal Valley that was air assaulted in as soon as we could get the airlift to get out there. So, I think that's an example of how, you know at least in Task Force Rock, they were able to muster up QRFs even though they didn't have specifically designated QRFs, we had to give all of our soldiers missions and FOBs so we could get out with the population and secure as many of the--you know make as much progress as we could. And often times, what happened was we would lead with a Combat

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Outpost, like in Aranus. When we're out there, you--you know Colonel (b)(3),(b)(6) statement was, "Hey, we're out there with only U.S. forces." We had no governance out there, we had no means of getting development out there, because you can only get out there by helicopter and we, you know, very shortly Diamond after we were there, Colonel (b)(3),(b)(6) told Colonel Delta (b)(3),(b)(6) we need to close this down, recommended that we close it down. Colonel (b)(3),(b)(6) agreed and shortly Delta before we close that Outpost down we received a major attack. And everybody, you know all the soldiers that were on that COP were wounded and it was by a grace of God that none of them were killed. But, they--they fought very valiantly and there was an Afghan Security Guard that apparently was--he had been relieved a week prior and he helped the insurgents plan this major attack. And, at any rate, we did eventually shut that down. It took a little bit longer after that attack, but we did shut it down. FOB Bella was our probably next most vulnerable, my opinion, but I think Colonel Preysler would share, Colonel (b)(3),(b)(6) would share Diamond this, was high up on the list of vulnerable Combat Outposts and it was a matter of getting all the--getting all the resources lined up to be able to bring forces out at the right time. Keep in mind, you had other Combat Outposts not just in AO Rock, but also in AO Sabre. For instance, Camp Keating, OP War Horse that were just attacked 2 weekends ago. That was part of our Battle Space. They were just as vulnerable in the summer of 2008 as they were two weeks ago and we were constantly--the command was constantly trying to balance what resources we had, so we could get the proper effects on the enemy. I had mentioned before that I managed the Commander's Emergency Response Program. Lieutenant Colonel (b)(3),(b)(6), the AO Sabre Dollar Commander, was brilliant in the way he used the non-kinetic effects to work with the local population so he could get--he could get their buy-in and also get the local--the local area Tribal Elders in Wanat to buy in to what the government of Afghanistan had for them. This was all complicated by the fact that we had 3 different Afghan National Army Brigades that rotated into our Battle Space while we were there. So, even though it's their fight, we're trying to get them to embrace their own population and protect their own population. But, they rotated out 3 different times. Of the 3 Brigades that rotated through, 1 was

very competent, the one that came in the middle rotation. And the one that we left was immature and, you know, the jury is still out on them. The first Brigade that we came--we worked with was very weak. I Diamond think, ask Colonel (b)(3),(b)(6) and Colonel (b)(3),(b)(6) and Delta they will share that. We worked very hard to get them out in front in our operations as best we could, but we were--it's just a complex environment and we did everything we possibly could to try to get the effects to the population. We realize that was the center of gravity. In fact, Colonel (b)(3),(b)(6), his COIN Allium strategy that really depicts the population as the center of gravity is the same one that Brigade used, adapted when we came--when we came the sector and I Delta think Colonel (b)(3),(b)(6) and the Battalion Task Force Commanders, the whole Chain of Command did everything they could you know to recognize that. And, I will say one other thing is, in terms of the lead for security, it was very clear that the lead for security in each AO was the Battalion Task Force that owned that Battle Space. But, you also had a Provincial Reconstruction team that was associated with the AO. Provincial Reconstruction Team also had responsibilities for securing it. But, it wasn't--they weren't the lead. But, they were the lead for the governance and the development lines of Operation. And, the Battalion Commander, the Task Force Commanders, and the PRT Commanders worked very closely to make sure that Security Development and Governance were constantly working together and also information operations were getting the right messages out to the local population and also outward above that, but mainly to the local population and using the Afghan Officials as much as possible.

Beta **LtCol** (b)(3),(b)(6)**:** Sir, you mentioned the third ANA Brigade that worked with you, toward the end or tour was considered to be weak, why is that, sir?

Hotel **COL** (b)(3),(b)(6)**:** Well, for one, it was a brand new Brigade that was just assembled and when you--just like any unit, when you first stand up a Brigade doesn't have a whole lot of experience and so this Brigade fell into that category. And, that's why I say the jury was still out. We were doing everything we could to try to mentor them. In fact, you know Colonel (b)(3),(b)(6), at Delta the Brigade level, he built--we couldn't bring him

into our own TOC because they knew they had OPSEC issues and they even told us we don't want to be in your own TOC because we know we have some OPSEC issues. So what we, was we built a TOC adjacent to our TOC where the ANA could be right at--right in FOB Fenty co-located with our TOC. We were separated by building, but right next to it. So, they could--we could work very closely and try to mentor them and their staff planning skills and execution. So, we were doing, and that was at the Brigade level. And, at the Battalion they were doing just as much, if not more, to try to work with their ANA counterparts. We also had Afghan National Police that we had--that we were trying to work with as much as possible. We had Afghan Border Police, which were very important, but in many cases they didn't have mentors. We had a bunch of Marine Corps Mentors for them when we first came in to Sector and then about halfway through our rotation, they rotated out without replacements.

Delta Colonel (b)(3),(b)(6), he designated several--he kind of put together a team of mentors from within the Brigade to help mentor these Afghan Border Police to try to get the best effects that we could.

Beta **LtCol** (b)(3),(b)(6): You mean at the Brigade level, sir, you didn't have U.S. Marine Corps mentors toward the end?

Hotel **COL** (b)(3),(b)(6): No, at the end--not for the Afghan Border Police. We had a unit, I think it was out of Okinawa, and they just didn't have any backfill. They did the mission initially and then they rotated out and they didn't have any replacements identified and--or the replacements that were identified went to mentor other Afghan National Security Forces. I am not sure how that all worked out, but we did the best we could to try to mentor them and that's--we were grateful for any support we got to try to work with the ANA. Because we realized it's their fight and we needed to try to work with them as much as possible to get them to secure their own population.

Beta **LtCol** (b)(3),(b)(6): And it's on the--you're talking Brigade level, sir. How about at the tactical level, was the jury still out on that new Brigade as to how they would----

Hotel **COL** (b)(3),(b)(6): Yes, absolutely and I would recommend that you talk to Colonel (b)(3),(b)(6). He had--he had more ANA in

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his area than some of the other Commanders. But, for instance--but the Battle Space was so different between the four provinces in terms of where we were at in the COIN, you know when you go to Nangahar for instance you got a very relatively peaceful province and we had a lot of Afghan National Police relatively secure. It's right on the border and you--just kind of makes you wonder why is this so secure because it has such a long border with Pakistan. It's right--you know it's got some really dangerous areas to include Tora Bora and the Southern Sector of it. It's got the Khyber Pass that enters through the Torkum Gate in the East. And--but, it was still relatively secure. But, for the most part, in NANGAHAR, the people in NANGAHAR didn't want--you know they were able to divorce themselves pretty much from the insurgents. There was a lot of developments of agricultural--agriculturally very strong area, so very fertile area and then it's got the city of Jalalabad, which is one of the major cities in Afghanistan. So, there are a lot of things going for Jalalabad. So, the COIN fight was we had a lot less forces--U.S. Forces, but we had very good Afghan National Police coverage throughout, in fact, the Battalion Commander Lieutenant Colonel (b)(3),(b)(6)

Penny (b)(3),(b)(6), he set up a program where we had basically a 9-1-1 program, so that any Afghan that got into trouble in Nangahar could call the local police and they would respond. And, we had these joint provincial coordination cells that were led by the Afghans. We manned them, more with liaisons, but they were running it. So, in Nangahar, for the most part, the Afghans were more in the lead on Security, but when you--to places like Kunar and Nouristan, it wasn't. It was a much different fight. You had a very--you know you had a lot of infiltration routes that the insurgents used traditionally and some very contentious Battle Space. But, I would also say, and probably the most contentious, was in AO Rock where

Diamond Colonel (b)(3),(b)(6) was. And, unfortunately, Nuristan because of its remoteness was somewhat of an economy of Force effort and so we put some FOBs up there the best we could with what we had and also instrumental in our whole operation was trying to build--was building roads and the road-building strategy is nothing new, General Eikenberry started that several years ago and you really have to be on the ground and experience to realize the effects that you get from a

road. And, you know a road connects tribes and population centers back to the capital, so you get a really strong governance line of operation--governance effects from a road and that's hard to understand. When you build a road, you automatically get an addition for governance. The people see that's what their government's doing for them and we would work real hard. We'd use only Afghan contractors in our Sector. We'd make sure the local government was aware and they took credit for. So, we'd get a real strong governance effects from a road. We would get very strong development effects from a road. You know in a road that went from Jalalabad to Asadabad that was completed--U.S. Aid road that was completed right before we got there. It went from a handful of gas stations to over thirty gas stations in just over a year and little shopping centers going up everywhere, all sorts of activity along that valley. A major road that we completed during our tenure was the Pesh River Road, which has long been a sanctuary for insurgents. The effects in the Pesh River Valley were very-very positive during our tenure there. It seemed like it changed to be very positive. That doesn't mean you wouldn't get shot at some times, but for the most part, the population was connected to its government and they're getting on with the daily lives. I mean I went out with a PRT a couple times and walked foot patrols in the Pesh Valley, you know a couple thousand meters where I was armed with my 9 mil and we went out and, you know, right in the middle of PESH valley. But, because the people felt secure in the Valley, you could do that. That doesn't mean you didn't have insurgents on the surrounding mountains looking down into the Valley, but clearly we were getting great effects and the roads were very key to that. Going to a place like Wanat where it was a capillary of the Pesh Valley coming out from Camp Blessing, it was very important to get a road eventually out to Wanat. Because, again, to connect that government to the provincial government and to build development to show the people their government cared, to show their people hey look, you're going to get--you'll get jobs, you are going to get development and the road helped immensely with that. But, Wanat was the right place to put that--to put that COP because you did have a district center there, you did have a district government, you did have ANP. We couldn't get until

we put a FOB, so we were closely located with them. So it made it--it was a no-brainer to put that FOB there, unlike Bella or unlike the Ranch House where we were out there by ourselves with no government, with no means of getting development, or almost no means of getting development out there because you couldn't get contractors out there, or skilled laborers our there. And Wanat was--it was a no-brainer to put the COP out there. So, that's what the Battalion wanted to do. That's what the Brigade wanted to do. That's what CJTF 101 agreed was the right thing to do. And, that's why we went in there.

Beta

LtCol (b)(3),(b)(6): Sir, you mentioned Nuristan and the economy of Force. What do you mean by that, sir?

Hotel

COL (b)(3),(b)(6): What I mean by that is we--we fell in all the COPs that we could fall in--that were provided by 3-10 that they built for us and really to cover down in Nuristan properly--Nuristan has never been well-connected with the Afghan Government. It is a completely Tribal system. They're not Pashtu. If you call them Pashtu, they will get angry at you. They'll start fighting you. But, it's a different tribe and in some modern maps of Afghanistan, they don't even show Nuristan as part of Afghanistan. That's how different you know Nuristan is. So, the roads were very key to getting out to Nuristan and connecting the provincial government at Nuristan and the local governments with the provincial government and then back to the National Government. But, we had to have--we can only put so many COPs out there. We only had so many forces to put out there. I mentioned building the roads. We want to get the road built all the way--I mean we had funded road to go all the way up to Bargematow, which is on the Northern-Northeastern border of Nuristan and Pakistan and that would have been ideal. Because if get that--we knew that, in the long term, if we can get that road built, now we've got a good-paved road that even though it is very mountainous terrain in Wanat, it gives you very good access by another means besides just air that you can go--now you can secure on the ground. And more importantly, is the Afghans could never secure anything if they could only get there by air. They had to be able to get there by ground. So, going back to the roads why they're so important is, if we're

ever going to hand over Afghanistan to the Afghans so they can secure their own population, we've got to do it in such a way that it can get there. So, you've got to have roads to get there. So, the roads are very important for our security and for our hand over and so Nuristan, we did what we could up there with the forces we had and you know like I said, Colonel Dollar (b)(3),(b)(6), he did a brilliant job with the resources he had. He really used--he really mastered the non-kinetic form of COIN with what he had. He had some tough losses when he first got there. He lost a troop commander in a fight just outside of Kamute, one of the places that was overrun. He lost a couple of other paratroopers up there as well. And--but he and his troop commanders worked very hard to work with the local population to get the buy-in from the elders to show them what their government was doing in a very-very difficult area. And, he did it with what he had. And, so economy of force, you can't be everywhere. It was a much smaller population up there, but we inherited these bases. The danger I think in abandoning those bases in Nuristan is when you abandon those bases, it's much like you've got on the border right now in the Fada in Pakistan. We know it's an enemy sanctuary. Okay, great. Well, if you abandon Nuristan, those are the same insurgent routes that the Mujahadeen used very effectively to defeat the Soviet Union and if you abandon all those COPs up there and you just give that terrain away to the enemy, now you are going to give them a sanctuary that's in Afghanistan, looking right down into you know--not in Pakistan, but in Afghanistan itself. So, it's one of those--it's a difficult trade-off. If you have more forces, you can build those COPs out and you get the roads out to them and then you get the governments out to them and then you get the development up and out to them and the people feel secure. They see the effects of their government. They see the effects of the development. They realize their government cares about them. And, that is kind of--that is the strategy that we had up there and we did the best we could with the forces we had. Again, it's--you know who knows if it's the right strategy or not. We felt it was the right strategy and I think it was personally. But, it's--again it's very very very difficult Battle Spaces. It's a very complex area again because you've got tribes that have never been

connected with the National Government and you're trying to get them connected.

Beta

LtCol (b)(3),(b)(6): Sir, as a Deputy Commanding Officer for Brigade and an experienced Infantry Officer, if one of your subordinate units wants to establish an emplacement, what are some of the things you expect to see?

Hotel

COL (b)(3),(b)(6): Well, first is what is the benefit of establishing the emplacement, because it needs to be a priority because you could put emplacements everywhere in Afghanistan, you just don't have enough forces to put them everywhere. So, it needs to--you know what are the effects that you are going to get from that Combat Outpost or that Forward Operating Base. What are the effects that you are going to achieve from it? That's the number one thing and then how does that weigh with the other areas where will you need effects in terms of getting the government to--you know you got government that will work with the people, where you've got a willing people, you've got--you've got a situation where the Afghan National Security Forces can eventually come in and secure the population. So, those factors--first factor is what's the benefit. The second factor, once you've decided this is where we definitely want to go it's a priority, you look at the operation and then you look at the risk, you identify the risk, and no operation is without risk, it's inherent in our duties as soldiers and that we're doing combat operations. But, how are we going to mitigate all of those risks. And, the way CJTF 82 established and CJTF 101 picked up the same thing, is we would brief a CONOP that would get briefed from the Battalion level to the Brigade level. Then the Battalion would brief the CJTF, as well, to make sure that we had properly identified and mitigated the risks and made sure it was an acceptable operation, that the benefit was proper. And so----

Beta

LtCol (b)(3),(b)(6): Did you expect your staff, sir, to oversee or to review the CONOPS as it came up from the battalion to the Brigade?

Hotel

COL (b)(3),(b)(6): Okay, One, it was not my staff as the Deputy Commander, but as--from my experience, yes my staff would help in doing that. You bet. That's without a doubt, that's the staff's responsibility to help the

Commander make assessments and help him--advise him to make good decisions on whether to do operations.

Beta **LtCol** (b)(3),(b)(6): Was there a--on the logistics side, sir, as far as the physical force protection aspect of an emplacement, was there--did the Brigade have a Standard Operating Procedure on how monies would be requested or supplies acquired to establish a new position?

Hotel **COL** (b)(3),(b)(6): I personally wasn't involved with that, but I will tell you we competed for assets with the rest of--you know from the CJTF. But, the resources would come. Some would come faster than others. And, were there procedures for that, yes. I think our Task Force Engineer, Major (b)(3),(b)(6) would be the best November guy to ask. And I know even for Wanat, he was out there doing assessments, as well, right beforehand with Colonel Preysler.

Beta **LtCol** (b)(3),(b)(6): Sir, when was the 173rd due to rotate?

Hotel **COL** (b)(3),(b)(6): We were due to rotate out at the end of July. Task Force Rock would be the last element to rotate out and they were schedule to rotate out the first week of August. And, TOA, again, your transfer of Authority depends on a lot of things. It depends on a lot of things. It's--there's a lot of factors involved with it and it's usually comes down to airlift because you have--it puts such a huge demand on the airlift in country to get all the forces in and to get all the forces out and so that is a driving factor. And then you're dependent on the strategic airlift to get the forces in from CONUS as well. So, that's a factor--there are many many factors but the plan was the end of July for the Brigade to TOA and Task Force Rock would TOA the beginning of August. I don't know--I don't remember the exact dates.

Beta **LtCol** (b)(3),(b)(6): When did your replacement arrive, sir? Do you recall?

Hotel **COL** (b)(3),(b)(6): The Deputy Commander, he probably arrived--it was while I was doing the investigation, so I mean--it was after I started the investigation, so it was probably--sometime after--right after Wanat, I believe.

Beta

LtCol (b)(3),(b)(6): And what--before you did the investigation, sir--what duties did you have relating to the RIP/TOA?

Beta

LtCol (b)(3),(b)(6): I had--I had limited--it was mainly handing over my responsibilities. I was also--when I got the investigation, I was completing another investigation that was related--that was the investigation at FOB Bella where there was an allegation that there were 22 civilians killed and I did that investigation. And, so I was completing that and that was very--you know obviously very time consuming, a major focus for me.

Beta

LtCol (b)(3),(b)(6): What was the focus of the Brigade staff, sir? Early July, was the focus on the RIP/TOA?

Hotel

COL (b)(3),(b)(6): The staff didn't work for me. I would say you are better to ask the Brigade XO or the Brigade Commander. But, as probably--you know I would say ask them. You know probably to a degree it was, of course, but everything we did with the RIP/TOA was a current operation as well as--You don't stop your current operation to say oh we're going to go home now. Let's stop operations. You can't do that. You have to main--constantly maintain pressure on the enemy because enemies want you to stop combat operations. They want you to sit back. And what the 3rd Brigade the 10th Mountain did for us, Task Force Spartan, was they tried to set the conditions for a smooth TOA and one of the ways they did that, which is something we tried to do, was you have--you conduct combat operations against the enemy so you get positive effects so that the--you know the incoming unit is going to be tested. So, the outgoing unit knows the enemy better than the incoming unit. So, the 3rd Brigade 10th Mountain, they undertook some dangerous operations to set the conditions for us when we went in, just as we did the same thing for the 3rd Brigade 1st Division was coming in to replace us. One of those decisions was to establish the Wanat Combat Outpost or Vehicle Patrol Base initially because we knew that was the right thing to do to get the right effects and it would be very very difficult for a brand-new unit to try to undertake that task. It took us several months to really get to the point where we could establish Wanat and then we knew if we didn't do it, my opinion, we knew if we didn't do it, it is very unlikely that 1st Brigade--or 3rd Brigade 1st Division

would be able to do it. And they were in consultation--we were in consultation with them that they wanted us to do this and they concurred yes we want you to do this. So, when we talk about was the focus on the RIP/TOA, to a degree it was. But, by the same token, the focus is on the current combat operation--the future combat operation. You don't say hey I'm leaving in two weeks, I am going to stop the combat operations. That's not the way we work. You have to fight all the way through until you TOA to maintain those effects on the enemy. And as I said, the outgoing unit knows the enemy a lot better than the incoming unit and we knew if we could hit the enemy hard, just as three--as 3-10 did, that would provide good effects for 3rd Brigade 1st Division as they came in. So that was--that worked into the equation in terms of the impending TOA with 3rd Brigade 1st Division.

Beta **LtCol** (b)(3),(b)(6): Sir, was it a--do you recall when the decision was made to establish an emplacement at Wanat?

Hotel **COL** (b)(3),(b)(6): The actual decision--I think the idea to establish Wanat had been planned several months and I don't know exactly for how long it had been planned, but it was several months and I think Colonel (b)(3),(b)(6) - Diamond Delta - Colonel (b)(3),(b)(6) could better answer that question. The actual decision wasn't made until the CONOP was approved by General Schlosser--General Milley.

Beta **LtCol** (b)(3),(b)(6): Was this something that the Brigade wanted to do, sir? That the Battalion wanted to do? Stated otherwise, did the Brigade task the Battalion to establish the emplacement or was it the Battalion saying here is what we would like to do in furtherance of our campaign plan?

Hotel **COL** (b)(3),(b)(6): I believe it was both, from my perspective. I don't know--I don't know the dialogue that took place between Colonel (b)(3),(b)(6) and Colonel (b)(3),(b)(6), but I do know some of the discussions you know from the staff, you know from command's staffs when we are talking to the different Task Forces is it was--as I said it was a no-brainer that you needed to establish the COP in Wanat and Bella needed to be closed down. And I mentioned that when I was--when I was Acting Commander, when Colonel (b)(3),(b)(6) was on leave in

Delta Diamond Delta

February of 2008, I visited many--as many of the COPs and FOBs as I could. I went to Bella and in my assessment to Colonel (b)(3),(b)(6) was that's our most Delta vulnerable FOB by far. And had we been hit in Bella, it would have been a Blackhawk Down scenario because it sits in a fishbowl. There's no way to get up there by vehicle. You can only get there by air. You start losing American Soldiers and we would have had to medevac them out. And, they would--those helicopters would have easily been taken down and all it would have taken 1 helicopter to go down in the LZ and then you couldn't have got anyone else in there. It was extremely dangerous. It was a very bad relationship with the local population and there was the ASG were very very questionable. We had lost that Platoon Sergeant there, Sergeant First Class Kahler in January and it was an ASG Guard that shot him. He was--supposedly it was by mistake, but that was very questionable. And, so we knew that--we knew that Bella needed to be shut down. It was in the wrong place and it was--but it was very difficult to muster all the assets to do that properly and that was competing with other operations. You know in AO Sabre we had a major operation called Mount Highway where we were trying to get the effects, positive effects, so we could get the construction crews in to really make good progress and the road that went from Neray to Camp Keating. And, so that was a priority effort during most of the spring time and that was constantly pulling assets away that could have been, that may have been able to shut down that Bella. But, we were constantly trying to balance it.

Beta **LtCol** (b)(3),(b)(6): Do you recall, you said in 2008, sir, you went to Bella, do you recall what month?

Hotel **COL** (b)(3),(b)(6): It was in February.

Beta **LtCol** (b)(3),(b)(6): Then you relayed that to Colonel Delta (b)(3),(b)(6) at that point, sir?

Hotel **COL** (b)(3),(b)(6): Yes.

Beta **LtCol** (b)(3),(b)(6): Did discussion regarding Wanat follow? Or had some taken place before?

Hotel **COL** (b)(3),(b)(6): They had taken place before. It was no news to Colonel (b)(3),(b)(6). He was aware that--I think his assessment probably would have been the same. I don't recall whether he said that or not. You'd have to ask him. But, we knew it was vulnerable and Colonel (b)(3),(b)(6) knew it was vulnerable and again it was a very--it was very, just very complex to try to get all of the assets lined up to be able to undertake that operation. To close it down and part of that was we wanted to close it down and establish Wanat because it was in the right place--it was in the right place. But, you would have to ask Colonel (b)(3),(b)(6) and Colonel (b)(3),(b)(6) in terms of, you know, the discussions that took place when it was decided to actually establish--to establish Wanat and what was the exact relationship between Wanat and Bella. You definitely had to close down Bella first in order to establish Wanat. The way the Battalion actually did it was they had a little bit of an overlap and part of that was by design because they wanted the--make the enemy keep their eye on two objectives, both Bella and Wanat as it was standing up so cause the enemy to split its focus and so that was partly by design. And, I think Colonel (b)(3),(b)(6) statement----

Beta **LtCol** (b)(3),(b)(6): Prior to conducting the investigation, had you been to Wanat?

Hotel **COL** (b)(3),(b)(6): Prior--I had not because we did not have a--no I had not.

Beta **LtCol** (b)(3),(b)(6): Did you visit Wanat as part of the investigation?

Hotel **COL** (b)(3),(b)(6): I did. I went as soon as I found out I was investi--appointed the investigating officer, I caught the, you know, it was within 48 hours of the attack. I went out to Wanat on helicopter and I walked the Battle Space with Captain (b)(3),(b)(6), the Company Commander. I also had Captain (b)(3),(b)(6), who is the assistant S-3 for Task Force Rock, who had been the Able Company Commander in the Pesh Valley prior to that, very-very seasoned Captain who also walked the Battle Space with me. He had been there for several hours before that as well. So, between those two, I got a very-very good first hand knowledge of what the FOB looked like. What happened in the fight. You know walked up--OP top side how vulnerable it was. And, you know, the

close proximity of the forces in different positions and so that was very insightful. I think the most--one of the most revealing things about getting to Wanat was having Captain (b)(3),(b)(6) describe the Apache Oscar Gunfire Support and how danger close they were. And, they were right above the bazaar that's talked about in the report depicted--they were right above the bazaar firing right in front of OP top side. And, when I heard that, I was very concerned because he described the way the firing was and I was very concerned because we lost 8 of our paratroopers, 8 of the 9 were at OP top side, and I was very concerned that was there any fratricide. And, that was my number one concern was to find out how all these paratroopers died. And if there was fratricide, you know I had already talked to Colonel (b)(3),(b)(6) about Delta this, hey we're--that's the way it is. We know it was a tough fight, but we're going to find out the truth. We owe that to these families to tell them how their sons died. And, so as soon as I got back to Camp Blessing where I conducted the investigation out of, Camp Blessing's only about 7 kilometers south of Wanat. But I conducted the investigation out of Blessing. I immediately contacted the Aviation Brigade Commander and Battalion Commanders and told them hey I need the FLIR tapes and explained what I saw and I need the FLIR tapes because I need to go through this and review the tapes very closely. So, as soon as I got the tapes, they were about 7 hours of them, I went through all that and I couldn't find the event that was described by Captain (b)(3),(b)(6) Oscar So, I went back to the Brigade Commander and Task Force Commander--Battalion Task Force Commander and said look, you know Captain (b)(3),(b)(6) described this event. I Oscar don't see it on your tapes. Could you have your pilots tell me where it's at? Because all of the tapes have the ZULU times on the corner of the tapes, so it is very accurate in terms of determining timelines and you know some of the things that you hear the discussion on the FLIR tapes as well. And, I couldn't pinpoint the event that Captain (b)(3),(b)(6) Oscar described. So, they searched and searched, took them a couple of days and what they realized was the tape got off when they put it on the DVD, so there was a little bit more tape that included the event that Oscar Captain (b)(3),(b)(6) described and so when I went through it very closely, I was still concerned was I could see

was, I could see Apaches flying right overhead and it looked like OP Top Side--you know what exactly what OP Top side was described as. There was a kind of a tree and there was a guy who got killed, but you couldn't tell whether he was an insurgent or a friendly and so I was very concerned about that. And, so as I was doing the investigation, the statements I got from the paratroopers that were on OP Top side were very-very important because I wanted to know any eye-witness accounts of how they saw their buddies--you know the last moments they saw their buddies alive. How they were hit, so we could determine for the parents, for the families, how their sons died. And, so that was very important. And when I out-briefed--when I out-briefed General Schlosser before leaving Afghanistan, there was still I think one--I think it was special--there were one or two that I still hadn't had confirmation on, but I was working with the coroners out of Dover to get that information so we could determine--hey was this friendly shrapnel or was it enemy shrapnel--you know insurgent type of ammunition that killed these guys and so we can get some clarity on how all these paratroopers died and that was a very important part of my investigation because we wanted to find that out so we could tell the families how their sons died exactly. And--that was--that definitely was important, to try to get that detail. If you look at the report, the way it's written, it's to try to give you, give the reader flavor. Here's what happened, so they'd get an appreciation for how these paratroopers fought and they gave their last measure was really what I was aiming for and again, if there was fratricide involved, we were trying to be as open and transparent as we could and we looked through all of the tapes and we went through in detail trying to piece together how these paratroopers died. And so that--that was really key.

Beta

LtCol (b)(3),(b)(6)**:** Sir, as a--when you got off the helicopter that day in Wanat for the first time and your background as an infantry officer, I think you described the location of the emplacement as sub-optimal at best. What were your thoughts when you saw where the emplacement was in relation to the terrain and the village.

Hotel

COL (b)(3),(b)(6): Well again, it's very--when you look at Captain Oscar (b)(3),(b)(6), you know listen to what Captain (b)(3),(b)(6) said. Oscar Here's where you want to put the location. It's--the location had the advantages of being near the district Oscar center and Captain (b)(3),(b)(6) said it was within a hundred meters of it. I didn't go to the district center, but he said it was within a hundred meters of it. It was within near proximity of the--you know the ANP headquarters. We had no mentors for those ANP by the way because we couldn't get mentors up there regularly because it was too dangerous. It was near--it was right in the bazaar, which is the gathering place of the population. So, it did have some good qualities in terms of, hey if we're going to protect the population, we are--and this weighed I think heavily Oscar in Captain (b)(3),(b)(6) decision to put the--to locate that FOB there. However, was there more defendable terrain, you bet. And--You bet. And, again, it's very difficult for someone who hasn't fought there or seen a lot and gone through to say well why didn't they put OP Top side 200 meters up, it was more dominant terrain. Okay. Well that's great. That's a true statement. But, for that OP Top side you just go up another hundred--two hundred meters and there's more dominant terrain for it. And then you go up another two hundred meters and there's more dominant terrain for it. And it just keeps going up. And the problem is, as you go up, you are eventually to a point where you can't influence the population. You're too far away. The intention was, at some point, to get the OP's out so they could provide better over watch for the COP itself, but you can't do that overnight and you can't--you know I heard one General say why didn't they have a KBR turn-key operation--they just built the FOP. Well, you know, if you did that, that'd be great if KBR would go out there. And if you paid them billions of dollars, maybe they would do it. But, my sense is, you can't get KBR to do that because the cost of doing that is priceless and the only ones that can do that are our young Soldiers and Marines. They're the only ones that can get out there and they do it with just tremendous risk to get out there and help the government of Afghanistan establish security where they need it and so these villagers aren't being intimidated by insurgents all of the time and local police that aren't being intimidated by the insurgents

all the time. It's with tremendous risk that we have to undertake these operations and again when you look at all the factors that Wanat had going for it, it made sense to locate there. It's really difficult for me to say you know--of course there's more defendable terrain but there is a trade-off. You going to be with the population or are you going to be away from the population. And there's also a risk factor--there's also a risk factor of hey you go in there, you know you've got to--it takes time to establish your--your outpost and had we put OP Top side a couple hundred meters away, my opinion, it would have been over run. And there's no way you could have reinforced it. The reason why they survived at all was because Lieutenant Brostrom built his plan around being able to rapidly reinforce OP Top Side and that's what they did. And when that OP came under fire as it did, they reinforced locally at least three different times, which is just commendable for the unit. That was the plan and that's what they did. They marched to the sound of the guns. As did--as did the Company, as did the Battalion, as did the Brigade.

Beta **LtCol** (b)(3),(b)(6): Sir, after the Battle--were you in the TOC during the Battle, sir?

Hotel **COL** (b)(3),(b)(6): No, I wasn't.

Beta **LtCol** (b)(3),(b)(6): Were you in Jalalabad, sir, or somewhere else?

Hotel **COL** (b)(3),(b)(6): I don't recall where I was at during the Battle itself, but I--my responsibilities as the Deputy Commander is not to fight the Battle. I did not have that responsibility; in fact, you know the Commander's working with his Commanders. He's got his Brigade 3 and his Chief of Operations, CHOPS, and they're pushing assets. There are other--I mean there's--you still have the whole Brigade that you've got to command and control while the fight's going on. So, a lot of times, my role was not to get in there. They didn't need another Chief in there supervising the fight. So that was not my--that was not my role to be in the TOC during that fight.

Beta **LtCol** (b)(3),(b)(6): How soon after the Battle were you appointed, sir?

Hotel **COL** (b)(3),(b)(6): It was roughly, I am going to say it was about 36--I am going to say 36 hours. I mean the Battle occurred on the 13th. I think the night of the 14th I found out I was going to be the IO for this and then the 15th I got out there as soon as I could.

Beta **LtCol** (b)(3),(b)(6): After the Battle, sir, Delta do you recall any conversations with Colonel (b)(3),(b)(6) about the--about the Battle?

Hotel **COL** (b)(3),(b)(6): We had discussions about the Battle, but I--we did have--yes, we did have some discussions about it.

Beta **LtCol** (b)(3),(b)(6): Do you recall the nature of those discussions, sir?

Hotel **COL** (b)(3),(b)(6): Well, I think some of it was--I think Colonel Delta (b)(3),(b)(6) was--he was--you know part of this was when I--as the investigating officer, General Schlosser appointed me as the--it was the Chief of Staff, but it was General Schlosser that appointed me as the investigating officer. But, I worked for Colonel Delta (b)(3),(b)(6), so there were no secrets and this investigation I did was not meant to be something where we thought someone did something wrong or anything like that. It was an investigation to find out how these 9 paratroopers lost their lives and you know what happened in the Battle. And so I shared Delta that with Colonel (b)(3),(b)(6). We knew that it was going to be--could be potentially contentious.----

Beta **LtCol** (b)(3),(b)(6): Why is that, sir?

Hotel **COL** (b)(3),(b)(6): Because we lost 9 paratroopers. I mean that's the most paratroopers we lost in an incident in Afghanistan or a firefight in Afghanistan in a while. But--so I mean you know it was tough--I mean it was very tough on everybody. So, we're--you know we knew that and we knew we needed to provide the best answers we could for the families, for the Army, you know for the American public. But, at any rate, so yes we knew that, so yes we discussed it and, in fact, Colonel Delta (b)(3),(b)(6), he saw the report before I sent it to General Schlosser and he was aware of it. I mean it wasn't like it was a secret or anything like that. In fact the Brigade Judge Advocate assisted me, you know gave me his legal advice, now that said, the report is

my report, it's got my signature on it and in fact, he took probably about 5 or--the Brigade Judge Advocate probably took about 5 or 6 days reviewing the investigation, my report and he gave me a lot of feedback. And a lot of it was okay you need to reference this, you need to reference that. Then there were probably at least fifty footnotes or whatever he recommended do this and some things and I would say the majority of them I took. I didn't take all of his suggestions, but I took the majority of them. And then, it also helped me because I realized yeah, if those--if that's the standard for a footnote, I need to do another hundred because you know based on that standard. So I went back and I looked up a lot more details in terms--and footnote a lot more factual information as a result of his feedback. So I knew you know--we knew there was going to be scrutiny for this and so my doing the investigation, I knew I was going to have some good legal assistance, which I did and I knew my report would be reviewed--it would receive a legal review before it went to General Schlosser to ensure that my findings were substantiated by the facts and the findings--or the recommendations were supported by the findings as well. So I knew it was going to go through this process as well, which is a good thing and so you know that--that was kind of my--and I knew all this going into it. And really it's--the real challenge going in was gathering the information while it was fresh so that I could provide as much detail and factual information into this report as we could. You asked the question did Colonel (b)(3),(b)(6) and I discuss this. Delta Yes, we did, as I have just said and I think one of the things he said was, he said focus on the facts and he--he was really keen about that. But, he also was--he also felt that this thing would probably get re-investigated again. He made the opinion that it would probably get re-investigated again just because of the loss. It could--you know it may get investigated again. So he gave that opinion as well.

Beta **LtCol** (b)(3),(b)(6)**:** Is that even before you started, sir?

Hotel **COL** (b)(3),(b)(6)**:** Yes, it was before I started he said that. So, I knew that going into it. One of the things that I would say too is I think people would question why would the Deputy Commander investigate this. Well, I

had done a lot of other investigations for the Brigade like I said, there was a Battalion Task Force Commander that his decision may come into question. I'm an O-6. I'm a senior O-6 and I was the right guy to do the investigation. I knew the Battle Space better than any other O-6 and I had been out to these locations. If I had seen something that was--you know that was of a nature that I thought was wrong--or whatever, there was something really--someone really did something absolutely wrong or whatever, I would have excused myself from the investigation. But, I did not see that. I saw Commanders that made decisions you know with the information they had--the best information they possibly had--they made the best possible decisions they could and they looked at the risk at hand and they mitigated those risks as best as they possibly could. And again, as the report says, they made the decisions for the right reasons. But, you know--you know the enemy killed those 9 paratroopers and the enemy has a vote and you can't control that. You can--but I will say one other. Is--there's a lot of speculation that I've seen on this report. Okay, well, had we not fought in Wanat the insurgents more than likely they would have attacked Camp Blessing, the town of Nagowab which is right at the mouth of the Pesh River Valley. The Pesh River Valley represents the population where we had the most positive effects. The population was connected with the government of Afghanistan. It was--that Valley was turned in a positive direction that we wanted it. In that Kunar Province, we went from the worst governor in N2KL Governor Deedar, to the best governor probably in Afghanistan, Governor Wahidi. So we had a tremendous Governor for AO Rock and a part of the challenge there is when you look at Wanat, is it in Kunar or is it in Nuristan. You look at the maps and they say it's in Kunar. But, you talk to the population and they think they are part of NURISTAN because they are NURISTANI. But it's only 7 kilometers from Camp Blessing, which is definitely Pashtun. Had the attack come--had not happened at Wanat, it would have happened most likely at Nangalam at Camp Blessing and it would have threatened where we had our most positive effects--the population of AFGH--of the Pesh Valley which was connected to the government. So, if you had to have a fight, it was much better to have the fight in Wanat than to have it

at the mouth--you know right at the mouth of the Pesh Valley where the people were--did feel secure and protected and you had really good effects going on with development and government and all that. So, it's--again it was--you know it's some tough decisions. But, it was again, I still think it was absolutely right decision even in, you know, in hindsight it was the right decision to move that COP there and even getting ready to TOA. You know TOA really shouldn't make that much difference, but that was one of the reasons we needed to do it. There was a sense of urgency I think within the Task Force because we realized it's very difficult for a brand new unit that's coming in on a TOA to establish a new VPB or COP and we knew that was going to be really hard for 3-1. So, that was all part of the equation and 3-1's chain of command was totally aware of what we were trying to do at Wanat and they--they thought it was a good idea and they supported it. And they also supported the decision to withdraw. They recommended--you know after things didn't go the way we wanted them to, they thought it was the right decision to pull back. So, that's what we ended up doing.

Beta

LtCol (b)(3),(b)(6): Sir, getting back to your discussion with Colonel Delta (b)(3),(b)(6). Did he other than collect the facts, did he give you any other guidance regarding the investigation?

Hotel

COL (b)(3),(b)(6): He did. What he told me was specifically, he, and it was in regard to fratricide, and it was just basically if you see something wrong, whether it's fratricide or anything, he said don't cover it up. He said just you know--I am willing to--you know we've got to have transparency and we have got to you know--that's the bottom line. And of course, it's like, of course, you know we're going to do this investigation. If something doesn't look right, we're going to report it and there is nothing you can do about it. But he encouraged me to absolutely tell it the way it was and so that I think was--that was his biggest concern. There was another time we talked and that was because one--the platoon leader that was killed Lieutenant Brostrom. He had worked for his father, Colonel Blue (b)(3),(b)(6) in Hawaii a few years back and he was a planner for Colonel (b)(3),(b)(6) before he retired from

Blue

the Army. So, he knew him and he knew he had some conversations with his father during his--our rotation in Afghanistan and so, in fact it was the father that insisted that his son be assigned to Brigade and Colonel (b)(3),(b)(6) had told me that he really did want the son assigned to the Brigade. He didn't want that responsibility because he knew him. It was friends of their family and he didn't want that responsibility. But, you know, Colonel (b)(3),(b)(6) was insistent upon it. No, you are the only one I trust my son to be--your Brigade is the only one he can go to and so on and so forth. And so Colonel (b)(3),(b)(6) was really torn apart by that. And then when Lieutenant Brostrom was killed, Colonel (b)(3),(b)(6) wife--it was like she--you know he told me, it was like he lost his own son. So, not only was going on the stresses of losing 9 paratroopers. He had his wife grieving like he had lost his own son, so he was dealing with his wife having to deal with that. You know he didn't complain about it or anything, but he was having to deal with that stress and strain as well and--and so that was--he had that conversation with me and again, that's very private, but I think even some of that's been released to the media as well. He was very very torn up about losing these 9 paratroopers, without a doubt. And it really grieved him immensely. Colonel retired (b)(3),(b)(6) contacted, not just Colonel (b)(3),(b)(6), but he contacted Colonel (b)(3),(b)(6) multiple times trying to seek information, trying to guide the investigation. And I heard rumors he tried--that he also contacted before I was even done with the investigation, he contacted Human Resources Command, the people that handle the remains and the effects and what not and I was contacted by Colonel (b)(3),(b)(6) from HRC and she informed me that hey Colonel (b)(3),(b)(6) is making all these accusations, a cover-up and all these other things. And I said, okay, and I got permission to--well maybe he knows some information I don't, maybe I should interview because if he's got some facts, I want to know because it could impact the investigation. So, I went through the SJA at CJTF 101 to see if I could talk to Colonel (b)(3),(b)(6), to see if he had any information and the CG said, yes you can and I informed Colonel (b)(3),(b)(6), hey I'm going to talk to Colonel (b)(3),(b)(6). Colonel (b)(3),(b)(6) told me no, don't do that. He's my friend. I've got to talk to him anyway. I will ask him and let me ask that

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because it is more appropriate for me. So, I said okay. So, he did ask him and he said--Colonel Delta (b)(3),(b)(6) told me that no, Colonel (b)(3),(b)(6) didn't have Blue any more factual information to support the investigation. So, yes there was some discussion. It was a very--you know that part was very very difficult. But, at any rate, I tried to take that in, Delta but again Colonel (b)(3),(b)(6), he also had to brief Blue Colonel (b)(3),(b)(6) and he--I assisted him in preparing a--there is a storyboard of what happened in the Battle of Wanat that is an enclosure to the investigation and what I did is I took that storyboard and I took all the absolutely critical elements of information out of it that were classified out of it and predominately their response times for our different--you know for indirect fire, for close air support, for rotary wing close air support. Absolutely crucial information and I took all those out because the enemy can use that information against us when they are trying to template us, doctrinally and situationally in areas like Wanat. So, I took those out and a couple of other things. But, I sanitized it sufficiently that he could use it to Blue brief Colonel (b)(3),(b)(6) keep in mind that a normal briefing that is given to a member of the deceased is about 8 slides. I asked Colonel (b)(3),(b)(6), could you provide me a copy of what the brief looks like and so she had someone on her staff provide me and it just says basically your son was killed by the enemy on this date and so on and so forth. Here's the real one--real big hand wave and that's about what normally a Soldier gets. Colonel (b)(3),(b)(6) got excruciating Blue detail on what happened and I think that--you know he got excruciating detail. I think Colonel (b)(3),(b)(6) Delta felt he could be trusted, but Colonel (b)(3),(b)(6) was not Blue happy with that and he--from what it appears is he sought out members of his son's platoon and while they were in the hospital even, you know, asked them questions and seemed like he conducted his own independent investigation from what I can tell. I mean I wouldn't call it an investigation, but it was enough information to--to support his thesis that something was--there was some type of--I don't know cover-up or something was wrong. He had all sorts of allegations over time that had--they seemed to just keep changing. But, it's an unfortunate thing. You know people grieve in different ways, but I did assist

Delta

Colonel (b)(3),(b)(6) in trying to provide information because that's what he wanted. I gave it to him. I took out what I thought what were definitely the classified pieces and that was after talking to our Brigade S-2 and so those were removed from that particular report. There was another report that was released to the media somehow that included all those same response times, which it shouldn't have, but that did not go through me. I did not agree to that and I think that was--unfortunately I think that endangers a lot of our Soldiers. You know we just had some that we just a couple of weekends ago and I think that--you know that's a factor. I mean we just gave the enemy our doctrinal template and our situational template for that Battle Space and that's a real shame.

Beta

LtCol (b)(3),(b)(6)**:** Sir, before you conducted your investigation, after appointment and before you started your investigation or anytime during your investigation, did you have--did you speak with Major General Schlosser?

Hotel

COL (b)(3),(b)(6)**:** The only time I spoke to him directly was before I left Afghanistan and I gave him an Executive Summary of--of my findings and recommendations and that was it. I briefed him just so he had an azimuth check on here's where we're at and where we're at with the investigation. At that point, I'd interviewed everybody that I possibly could have that was still in Afghanistan and the main things--the main thing that was still out there was--was getting the coroner's reports from Dover. And, so we needed to get that information and we were in the process of writing the final report and Colonel--We were--I was waiting on the SJA to do his review and I'd get his review and then I would finalize my report. But, I had already completed my draft at that point.

Beta

LtCol (b)(3),(b)(6)**:** Once you start investigating, sir, when--when did you first have the discussion with Lieutenant Colonel (b)(3),(b)(6)? Diamond

Hotel

COL (b)(3),(b)(6)**:** I think the first night I got out to--I went to Wanat on the 15th and then I was out there for 3 or 4 hours and we were collapsing Wanat at that time and then when I got back to Camp Blessing, I spoke to him that evening. And then I gave him some questions----

Beta **LtCol** (b)(3),(b)(6): Was he at Wanat when you got there, sir?

Hotel **COL** (b)(3),(b)(6): Colonel (b)(3),(b)(6) (Delta)--I'm sorry Colonel (b)(3),(b)(6) (Diamond) was not at Wanat when I got there, no. He was at--his S-3 Major (b)(3),(b)(6) (Gray) was on--was at Wanat at the time. Would it be possible to stop?

Beta **LtCol** (b)(3),(b)(6): Absolutely, sir.

[The testimony recessed at 0927, 20 October 2009]

[The testimony called to order at 0934, 20 October 2009]

Beta **LtCol** (b)(3),(b)(6): Sir, could you describe your first conversation with Colonel (b)(3),(b)(6) once you started the (Diamond) investigation, sir?

Hotel **COL** (b)(3),(b)(6): No, I really can't recall exactly. I think it was more explained to him why I was there. I explained to him why I was there. I told him--I mean I had just been there doing another investigation, as I mentioned because the Bella investigation was part of his--you know his Battle Space. So, in terms of--I think the discussion was hey I was going to be asking him some questions, but at that point I hadn't formulated those questions. We were going to interview the members from the--that had been at Wanat and all that. He--we'd done this before, so it was not really, I think you know--you know Colonel (b)(3),(b)(6) (Diamond) was extremely supportive and he said okay whatever you need just tell me. My staff's priority, my Soldier's priority is to get you the information you need to complete the investigation. And it was--it was just professional conversation or dialogue like that. It wasn't real--you know he knew I was there and he pledged to give his full support. That was basically it. And I--of course I explained the investigation. I didn't really need to explain it to him. It was kind of obvious why I was there. But--

Beta **LtCol** (b)(3),(b)(6): Sir, what was your understanding of the Intelligence--the enemy situation in the Waygal in early July of 2008.

Hotel **COL** (b)(3),(b)(6): Okay. As I mentioned, I did the investigation for Bella, which is part of Waygal

Valley as well. You know, again, some of the context going into building up to Wanat and Bella was of course we had the Ranch House attack you know in the summer of 2007. Aranus is right in Waygal District as well. That happened in the summer of 2007. We had members of--we had several paratroopers that were ambushed. I think it was November. And that was also in Waygal and that was coming back from Aranus after the people basically set them up. They said hey we want--we want you to meet in the Schoolhouse and that we want to talk some development projects here. So, they did a foot-dismount patrol. They went out there and on the way back, they were ambushed. We lost several paratroopers that day and really tragic. And, so we knew--so we knew that was there, but the reason I described those events is because leading up to Bella there was a DVD that was captured that the enemy had made--the insurgents had made and it showed footage of the Ranch House attack and the ambush that took place. And it showed our Paratroopers. It was really you know--it was sad to look at. But it was a kind of a Jihad DVD that showed you know hey we are attacking the Americans and so on and so forth. That DVD was found in--it was being circulated amongst the population of vicinity of Bella with the intention of trying to get them to do a similar Ranch House style attack on Bella. So we knew there was an impending attack in Bella--that there was one that the enemy really wanted to mass some forces there and this was in July. And leading up to the incident I was investigating, which occurred on the 4th of July, about ten days prior to that, every single day, Bella was getting rocketed--rocket attacks and you know--it was really--it had taken some casualties and it was just a matter of time before they had been attacked. And we were really concerned because we knew how vulnerable Bella was. You know, as I explained, that was our most vulnerable combat outpost and we hadn't been able to close it down up to that point. And as part of this investigation, there was allegation that 22 civilians were killed and this investigation is a tab of the--you know of the Wanat investigation because it is so germane to it. But essentially, they had been rocketed. They had a helicopter come in. It got rocketed. And one of the things that would normally happen in that area there at Bella was as soon as they got rocketed, no civilians would move anywhere because

they knew if anything moved out of the village, they'd get shot because the people who fired the rocket would normally be trying to escape and all. So, it was kind of a normal--the people knew hey just stay where you are at because insurgents are acting up. So, what had happened on that day on the 4th of July was, we knew there was an impending attack. The platoon leader had told a doctor that was at the clinic right next to the post that they need to move out because there was going to be an attack later that day and as it turned out, that doctor, and this is in the report, there were two vehicles that were destroyed by Apaches immediately after they had been rocketed and the doctor was in one of those vehicles and he--his remains were brought back through Bella and we know this because the Platoon Leader saw it and went through the Vehicle Check Point and he identified him. Yep that's his remains. And the doctor was actually was actually from Aranus and so that's why we were bringing his remains back there. Interesting thing that happened was, for one thing, the allegation--the only thing we destroyed was--the troopers from Task Force Rock destroyed, were two trucks, small Hilux trucks. And, the allegation from the District Governor, who wasn't there, was that we killed--the Task Force killed 22 civilians. So, when you look at that and you review the footage, there's one, no way 22 people would fit in those vehicles and when I looked at the FLIR footage, one of the vehicles had--it was hard to tell, four possibly five and they were fighting age males. They weren't females. You could tell. They weren't boys. They were in the back of one of the Hilux trucks. And when it got it hit, they came off of it. And again, it was at least four that were back there, no more than five. And, so when you add that up, the other pick-up truck didn't have anyone in the back. There is no way there were 22, but at any rate, there--it was very--there was only one road you could come from Bella and that was the road they were on. And they got--they were destroyed by--these two vehicles were destroyed by the Apache gunfire. But, the interesting thing that happened there in the finding of that investigation was that the OP that called in the fire did not have continuous positive identification on those vehicles, which is a violation of our ROE and so that was what we found--I determined in the investigation. But, the interesting

thing that happened, the effects of taking those two vehicles were that here's a Combat Outpost that had been attacked every single day for 10 days straight and a major pending attack was going to happen and after the 4th of July, that was it. No more rocket attacks or mortar attacks. Completely subsided, you know, you've got to just question--it makes you just wonder why--how is that. You know, if these were supposedly 22 civilians. Well we know the only civilian we know was the doctor and I think we would call him our Brigade Surgeon in our terms. But, I think it's even possible that that doctor was more than a doctor. He was probably the brains behind the impending attack at Bella and that probably de-clawed the whole thing. I say that in hindsight because I wouldn't have said that 12 months ago, but you know when you really think about it, that was the guy. And everybody, no one trusted him. They knew he was in--treating insurgents. He was working with them. He was probably the brains behind trying to get that attack under way. But the bottom line was, once that happened, the effects were very positive that no more attacks on Bella. And that also helped to be able to close down Bella, so that we could get our troopers out of there and then hand over that Patrol Base in a manner to the local governing officials and have Governor Waheedi make some statements about--hey we've got this back and we're giving it to the villagers and what not so that we could counter the--counter the propaganda that was likely to occur from the insurgents.

Beta

LtCol (b)(3),(b)(6): By large-scale attacks, sir, what were you anticipating? What do you mean by large scale?

Hotel

COL (b)(3),(b)(6): Well, by large scale, when you look at the attack that happened at Ranch House, it--you know you would say from looking at the film that the insurgents had and from the statements and all it was probably at least a hundred--at least a hundred insurgents I would say when you say large scale. That's what I would you know--at least a hundred. And part of that is too, it's difficult because it's not just the fighters. It's do the villagers support the insurgents or do they not support them. Because if the villagers provide full support to the insurgents, it has a very strong multiplicative factor to those insurgents. So

instead of having a hundred fighters, now it's the equivalent of having two-hundred because they got villagers that are actually supporting them even though they are not considered combatants. And so the--so a lot depends on you know on how the village is. And again, that type of DVD is very important because they are trying to persuade the villagers that--hey we're the insurgents are trying to you know--are trying to help you and we are going to remove these Coalition Forces or whatever and so you know a large scale attack again, there's a lot of factors into it. But, I'd say you know a hundred and you know--I would classify that and the other thing too is when you look at the statements of the Soldiers, the leadership that were in those circumstances in AO Rock, you know Captain (b)(3),(b)(6) for instance, it is very normal when you get those kinds of attacks the enemy would telegraph the attack with Mortar attacks. They would do like probing attacks, so they'd test your defenses and they would solidify their plans. You wouldn't get a grand scale attack which was kind of unique for Wanat because you didn't have that testing. It all came. They definitely, they changed TTP on that particular attack you know based on the way they had operated previously in that area. So there as intelligence that there was going to be an impending attack, but I think in Waygal Valley, there's always intelligence you're going to get attacked anywhere you're at. But you could say the same thing about Kamdesh. You know--there's always you know there's always chatter you know if you're listening, you can find someone who's--they're talking about doing some attack or whatever. So there is always going to be some intelligence that says there is an attack, but I think in Waygal it was definitely strong attack. The majority of the intelligence was right there for Bella. That was the big one. And the DVD, again, that's part of the investigation if you haven't seen that's definitely worth looking at to give you some--some context.

Oscar

Beta

LtCol (b)(3),(b)(6): And Bella and Wanat are how far apart, sir?

Hotel

COL (b)(3),(b)(6): It's--I am going to say it is probably about 15 kilometers north--Bella is about 15 to 20 kilometers north of Wanat.

Beta

LtCol (b)(3),(b)(6): Sir, based on the investigation of the 4 July incident, did you detect--was there a change in the attitude of the populace in the Waygal? Was that something that you discovered?

Hotel

COL (b)(3),(b)(6): Well, I think in the popula--it was really hard for me to assess the population. But, for the Wanat attack, the population for the most part evacuated. And so when I went through that afternoon of the 15th, we went through several of the houses. There was only one civilian that stayed and he was a non-combatant. He was very close to the location and he--he had kind of bunkered down. In fact, I had mentioned Captain (b)(3),(b)(6) was assisting--was with me. Captain (b)(3),(b)(6), a very gifted, young leader in the--while he was Company Commander, he just picked up Pashtun in, you know, his tour. He's one of these guys that could learn languages and just really bright guy. And so Captain (b)(3),(b)(6) had learned to speak Pashtun, so he started--he said sir can I talk to this civilian. So he engaged him in Pashtun and he started carrying on a conversation. Some of the ANA that were there were just shocked because he saw an American speak Pashtun and conversing--that this guy, he was concerned about it. He had a cellar or something that he hid in during the whole fight. But, for the most part, the civilians that night were evacuated. They evacuated, so they knew there was an attack. Apparently, you knew this after the fact, there was an attack impending. There were some indications there was going to be an attack.

Salt

Salt

Beta

LtCol (b)(3),(b)(6): What were those indications?

Hotel

COL (b)(3),(b)(6): The indications were the night before, if you read I think it's Captain (b)(3),(b)(6) statement. He had dinner with one of the guys--the elders in the village and he said that you are going to be attacked. And in fact, that elder's son was an interpreter for the Kunar PRT. So he was with him as well. And so he said so yeah, you are going to be attacked. But they had heard this from--I mean it wasn't like the first time you hear if you are in Waygal valley you are going to be attacked. It's kind of like, well yeah right I'm okay. Of course I'm going to be attacked. I'm in Waygal valley. You know, so it wasn't as--I don't know the urgency was relayed up the Chain of

Oscar

Command to my knowledge. To my knowledge, it wasn't relayed up the Chain of Command like something completely out of the normal or anything like that. And I didn't detect that.

Beta

LtCol (b)(3),(b)(6): Sir, were you aware of the--as being up on the Brigade Staff, aware of the ISR coverage that was planned for Wanat?

Hotel

COL (b)(3),(b)(6): Well the ISR coverage initially was tied to--it was tied to Bella, the closure of Bella and the initial opening of Wanat. I don't recall in exact detail exactly what we had. There were some weather factors in Wanat. But, I think initially, for the first twenty-four, thirty-six hours, there was coverage. And then, you know because we started moving into--you know the Brigade started moving into Wanat and was the--it was four days prior, so it was I think the morning of the 8th that they started moving in and they were--were starting to pull out of Bella at the same time. So, for the--for the initial--I want to--I don't know 24--the initial portion of the operation, there was ISR coverage and I don't know the exact details on that. But again, once you, you know when you look at all the other COPS and everything else that we had competing for the limited ISR we had, and that's in the report, we definitely need dedicated ISR, especially in--and it's in the Bella report also, investigation, and that is when you're looking at the elevations that you're at in a place like Bella or Wanat, you can't do much with a shadow cause you just can't get up to proper altitude. You've got to have predator and we couldn't get the priority for the predator to get up there as much as we would have liked. And, so, you know that is in the report, yeah we definitely would have liked to have had more, but I think initially we had it and then it went away because you had just so many competing priorities. And I don't know that-I don't it was relayed properly--or obviously it didn't make the--break the threshold. Hey, we've got to have more ISR up here. But again, we've got all of these other places going on you know any day you could have an attack like the one that just happened in Camp Keating in Kamoo, which were even more remote. I mean, they were more remote than Wanat. I mean Wanat was only 7 kilometers away. It was within reinforcement by ground of Camp Blessing.

There's no way you can get to Camp Keating or you could get to Kamoo by ground from Naray. You can't do it. Impossible. So, when you got limited assets, where do you put them? You put them up in--you put them in Camp Keating, Kamoo, where no one can get to it, or do you put it down in Camp Blessing where, hey they've got indirect fire coverage right there. You can get there on the ground if you have to. So, there are all those factors that are in there. So, it's very--you know it's easy to armchair a quarterback and say, wow they didn't have enough assets. Yeah, of course they didn't. But if they--but you've got to remember you don't have predator to give to every Battalion Task Force, or even Brigade Task Force. We didn't have it for our Brigade Task Force.

Beta

LtCol (b)(3),(b)(6): Sir, can I interject?

Hotel

COL (b)(3),(b)(6): It makes it very very difficult, so I think given-given what the Brigade had, they had initial coverage and then after that it went away at some point.

Beta

LtCol (b)(3),(b)(6): Why was important, sir, for there to be coverage during that initial 24-48 hour period? Why would you want coverage during that period?

Hotel

COL (b)(3),(b)(6): Why would you want--well normally you're most vulnerable when you--right as you are establishing--I mean anytime you are establishing a defense in a new area of operations or when you are pulling out of an operation. The more vulnerable place was going to be Bella, not Wanat. You're most vulnerable when you are getting ready to pull out of place because the enemy insurgents realize you are going to pull out and what they want to do is they want to attack before they pull out. This was their--this was their TTP was okay we know that the Americans are going to pull out of here so we want to attack them just so we can give the perception that we attacked them and we forced them out and we had this victory. And that's what they did at the Ranch House and that's kind of in their video because what they did was they showed--they showed the video where they're attacking. I mean they never got that close. It was a really big attack, but they never--the Soldiers fought very well, and you know hung on to the Ranch House. But, what they did is a

month later after we had left the Ranch House, they took the footage of some of the same Soldiers and they put them in the Ranch House like they had conquered this thing. So, they--you know they're masters at information operations and so that's what they did. So, they could kind of hook the two events together--give the perception that they were successful even though they got their butts kicked. But, perception becomes a reality. And so they want to be able to show this local population, hey these Americans can't secure you. Look. We defeated them on this Base and we're going to defeat--and we defeated them--we ambushed them here because as its shown in the video. And so in Bella, they knew we were going to pull out because the ASG was no way you could keep it at full secret from the ASG. They knew we were going to pull out. That was one of the reasons why they wanted to attack us so bad there and they were really rallying the troops. And so the event of 4 July got into them, their decision cycle, and they couldn't follow through. For whatever reasons, who knows. Was it the doc? I don't know. But, it didn't. It stopped their decision cycle. They could not continue to rocket. They were unable to attack Bella before we moved out of there. We knew that we were vulnerable at Bella because when we were pulling out they detected they're going to try to attack us. And that's why they kind of knew we were going to--that's why they knew that we were going to try pull out of there. So that's probably has a lot to do with why they were attacking us everyday. So, the priority, you know the most vulnerable place was Bella because we were pulling out. And if we had been hit at Bella, it would have been--it would have been a disaster just because it was a lot less defendable terrain than Wanat. Even Wanat when it's not fully built up was more defendable than Bella fully built up because you just can't get to Bella. I mean once they get you in there, you're boxed in. You're in a bowl. They take down one helicopter and that LZ is out. And you--it would have been a total mess because--it would have just been--it had just disaster written all over it and we were very fortunate to get out of there when we did. But that had to be my, again this is my opinion, but that had to be--it was kind of--that's where the priority had to be for ISR, but it was tied--the two operations were tied together.

Beta

LtCol (b)(3),(b)(6): Day 1 in Wanat, sir, why were the Soldiers vulnerable and requiring ISR coverage?

Hotel

COL (b)(3),(b)(6): Well, again, the two operations are tied together. When you are first going in you have less force protection, right. As you--the longer you are in position, the more time you have to build up your Force Protection, more time you have to clear your sectors of fire, get out and patrol, and learn the Battle Space. So, the more time you have on the ground, the better your defenses will be. It's a function of time. So, so that's probably the biggest factor of it. You get more time. So----

Beta

LtCol (b)(3),(b)(6): What was your understanding, sir, as to when the emplacement at Wanat would have a perimeter established, have the Force Protection measures to properly defend it?

Hotel

COL (b)(3),(b)(6): I don't know the answer to that question. I would say that--as an Infantryman--I can't answer that as a Commander because I am not the Commander. But, I think as an Infantryman I would say, you know anytime that you go into a position, a new position, you're always ready for a fight. I mean cause you've got to have--security is continuous. You don't stop your security because hey we're not ready for the enemy to attack us. You maintain your security 24/7. Whether you got Predator or not doesn't matter. And everybody, you know you maintains security and I--when you look at the actions of Chosen Company and Wanat, that's what they did. They maintained Security. And of course there's things you could--I mean there's always that you could probably you know come up with, but security is continuous. So you're going to be vulnerable anytime. Doesn't make a difference. It's a matter of you're going in to set up a Vehicle Patrol Base. You set your priorities in work and you get after them. And I think the Platoon Sergeant,

Yankee

Sergeant (b)(3),(b)(6) said their number one concern was Force Protection and they made a lot of good progress on Force Protection. They had some challenges because Afghan Contractors are supposed bring their machinery out there. They had such a hard time getting out there. But you know you can't be solely dependent on Afghan contractor. You do what you can with what you

got and that's what they did. And for the most part, they built up their defenses very well. Though, the thing they were lacking when the attack occurred was overhead cover. They were lacking some overhead cover. So fortunately, it didn't seem like any rounds came directly on top of where the overhead cover would have made a difference, at least from all the statements I read. So--but, the overhead cover was the one thing that was lacking.

Beta

LtCol (b)(3),(b)(6): Back in Jalalabad, sir, were you aware that they were lacking anything up at Wanat prior to the attack? Any supplies or equipment?

Hotel

COL (b)(3),(b)(6): I wasn't--no, I wasn't aware of that. In fact, I wouldn't have been the one that would have been told. I could have been. If someone was missing something and the Chain of Command wasn't doing something, yes I could have--I would have--I could have and would have gotten involved. But no I was never--I was never told that but you know I wasn't the Commander, but I you know I'm a conduit and I'm sure if Colonel (b)(3),(b)(6) or Diamond someone was really that upset about it then I would have--you know and the Chain of Command was addressed. Someone may have called me and I would have had an opportunity to act on it. But, no I was not aware of that. I was not aware of that. But, I do know that the Brigade did do--they did take a lot of preparations to go into Wanat. Like I mentioned, bringing out Major (b)(3),(b)(6) to survey the ground and so on and so forth. November

Beta

LtCol (b)(3),(b)(6): Sir, did you attend the nightly Commander's updates as a matter of routine?

Hotel

COL (b)(3),(b)(6): When I was in the area, yes.

Beta

LtCol (b)(3),(b)(6): Would you review the daily INSUMs coming out of your S-2 shop?

Hotel

COL (b)(3),(b)(6): Not every day. No. They were so--they were written at a--there was so much detail in there, I started to when I first got there then I wouldn't read them as often, no.

Beta

LtCol (b)(3),(b)(6): Sir, in the investigation you addressed some risk assessment--risk mitigation during the planning for

the Operation--for Rock Move. Do you recall what those steps were taken by the unit, sir?

Hotel **COL** (b)(3),(b)(6): For Rock Move, are you talking about Wanat or are you talking----

Beta **LtCol** (b)(3),(b)(6): For Wanat specifically.

Hotel **COL** (b)(3),(b)(6): I asked Colonel (b)(3),(b)(6) Diamond this question and Colonel Diamond (b)(3),(b)(6)--I asked Captain (b)(3),(b)(6) the same question. And Oscar when you look at the way they mitigated the risk, they did it with--by adding a lot of key weapon systems and combat power to that pla--it wasn't a platoon. It was more like a Company minus. They had a TOW system which was very effective in the mountains. The Afghan----

Beta **LtCol** (b)(3),(b)(6): How so, sir?

Hotel **COL** (b)(3),(b)(6): How so. Well, it had a range of over 3700 meters and it could hit all elevations and it was so effective that the insurgents would call it the finger of death because in places like the Pesh Valley where, the insurgents were effectively separated from the population the insurgents tended to be on the Ridge Lines. And our FOBs were in the Valley itself. And so we'd get these--Task Force would get these attacks from the insurgents on the mountains and then they would fire a TOW, you know they would pick the insurgents in an LRAS and it was amazing because the insurgents would cluster together. They didn't have good tactical dispersion and they would take out a whole squad with just a TOW Missile System. TOW missile would hit them and take them out. Just very effective--effective system. So use the TOW in conjunction with the mortars and we had some really great effects. So one of the things they did was they gave--Colonel Ostlund got them a TOW Missile. I think it came from--actually it came from 3rd Brigade, 1st Division because they had additional equipment and so that's how they freed up the combat power to get a TOW Missile System to them. But they--he gave them a TOW Missile System. He gave them a 4-DEUCE mortar, so a heavy mortar which is the most effective indirect fire asset that we have is the heavy mortar in that type of terrain because it's mountainous, high-angle is everything. And then you get behind the crevices and

everything with high angle--with the 4-Deuce gauge it. So they had a 4-Deuce. Then they had a couple additional Up-Armored HMMWVS, which were all mounted with MARK-19s and 50-Cals. So that was almost a Platoon's worth of--like from our Delta Company--worth of Combat Power. It didn't have a Platoon Leader, but essentially 4 Up-Armored HMMWVS is a Platoon in the Delta Company TO-E. But that's what he had. So he had 4 Up-Armored HMMWVS, one with a TOW and the other ones were with 50 Cal--mixture of 50 Cal and Mark-19. He had a heavy mortar. He had his own organic 60 millimeter mortars. So he gave them--I think they gave them a section a section of engineers as well. They also gave them a Platoon of ANA was attached to the formation. So when you add all those in and then---

Beta

LtCol (b)(3),(b)(6): Was this the platoon of ANA, sir, from that last Brigade you were working with?

Hotel

COL (b)(3),(b)(6): It was, yes. And so they--and of course they had their ETTs who were excellent as well. So when you add all that together, it was like a Company minus. Captain (b)(3),(b)(6) was on site in Wanat on the 12th--I think the morning of the 12th he got out there, but he was also managing the--you know the withdrawal from Bella I think is his priority initially because that was also his Company. And then as soon as he had the opportunity, he was at--he was at Wanat also. So there was a lot--in terms of Combat Power, they did a lot to beef it up. And they mitigated the risk that way.

Oscar

Beta

LtCol (b)(3),(b)(6): Are you aware, sir, that around the 11th or 12th that there were issues with the ISR coverage? Did you hear anything from Task Force Rock regarding a need for additional ISR coverage for Wanat?

Hotel

COL (b)(3),(b)(6): No, that never--that never came to me as--in my role as the Deputy Commander or as Investigating Officer when I was doing my Investigation. That was never--no one said anything about that.

Beta

LtCol (b)(3),(b)(6): Were you aware of any indications and warnings coming up from the Platoon itself once they arrived in Wanat?

Hotel

COL (b)(3),(b)(6): No, not as the Deputy Commander and then--and I don't think I would have found that as a Deputy Commander. But, as the Investigating Officer, it was interesting. I asked Sergeant (b)(3),(b)(6), the Platoon Yankee Sergeant. I said at any time--I said were--did you think this mission, you shouldn't have been given this mission. If so, did you tell anybody? And he said no he didn't. And he said you know they had doubts about it, but he said--And I said did you tell anybody? Did you or Lieutenant Brostrom tell anybody? And he said no we didn't. He said, sir we couldn't do it otherwise. What do you mean you couldn't do it? I said did you--either you or Lieutenant Brostrom tell anyone in your Chain of Command hey we can't do this mission. It doesn't--this is, this mission doesn't make sense, or whatever. We do not have the right assets and he told me no. And I had that conversation with Sergeant Dzwik was after the investigation because--it was at--it was in Vicenza. I think it was in September of 2008 after we had returned and I saw Yankee Sergeant (b)(3),(b)(6) and I--and the--I didn't see--I didn't see as a Deputy Commander. I'm in Germany because we had 4 Battalions in Germany. The 2 Infantry Battalions are in Vicenza. So I was at--I was at a ceremony for--that I had to be at the Brigade Headquarters for and I saw Sergeant (b)(3),(b)(6) there and I Yankee just--and I ran into him and I asked him that question because--and the reason I asked him is because I think he made some statements to the media and I just kind of--they caught me by surprise because if you were--you know so it just prompted me to ask him. And so I asked him that question and he said no he never did.

Beta

LtCol (b)(3),(b)(6): Sir, regarding the decision to withdraw from Wanat, did you participate in any discussions regarding the withdrawal from Wanat?

Hotel

COL (b)(3),(b)(6): I'd monitor--I didn't--yes I was present when, at one point when I think Colonel (b)(3),(b)(6) was discussing Delta it with the 3rd Brigade 1st Division Commander and Diamond also I think Colonel (b)(3),(b)(6). And they were talking about whether to stay or go. And the--and so--yeah I think I was--and that's how I know that--that's how I know that 3rd Brigade 1st Division advocated the position of withdrawing because I heard Colonel Sunset (b)(3),(b)(6), the incoming Brigade Commander you know make that statement.

Beta

LtCol (b)(3),(b)(6): And how about anything that you recall Colonel (b)(3),(b)(6) saying, sir, about staying or going?

Delta

Hotel

COL (b)(3),(b)(6): I don't--I don't recall exactly what Colonel--I think Colonel (b)(3),(b)(6), he supported withdrawing because that's what he--that's what recommended to General Schlosser.

Delta

Beta

LtCol (b)(3),(b)(6): What changed, sir, between I believe the CONOPS was briefed up the Chain around the 7th--6th or 7th of July. The reasons to go to Wanat on 6 or 7 July and then fast forwarding up to the 14th and 15th, other than the Battle, what had changed?

Hotel

COL (b)(3),(b)(6): Okay. I asked that question to Colonel (b)(3),(b)(6) and it's in his statement. And I think what Colonel (b)(3),(b)(6) said--his answer was a lot better than what I could answer, but I think it was more--it was along the lines of the decisions to go to Wanat, a lot--a big factor is the population. And the population when the population was kind of on the fence, but after Wanat it seemed very clear that the population was--had conspired or at least was in--either conspired or assisted or at least was aware of an INTEL that didn't really notify the Task Force that hey look you guys, you know, it seemed that the population was not--We can't just protect people that don't want to be protected. And it seemed like the population was more aligned with the insurgents is probably what you know Colonel (b)(3),(b)(6) said in his statement. And when you look at that, should we continue to throw our resources at protecting this population that has not really earned the right to be protected when there is other population centers that you know we can help protect and help get good governance and development where they want us and they're going to uphold their end of the bargain. And I think that was one of his factors. I think another factor was--there were a couple factors. But I think you'd have to go back and read Colonel (b)(3),(b)(6) statement because--I think that was the best explanation I heard for why to--you know why not to stay and I think in Colonel (b)(3),(b)(6) statement he also said something to the effect that you--he said that we should go back out to Wanat, but in the short-term it didn't make sense to stay there. But, we shouldn't reward the population who had worked

Diamond

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Diamond

with the enemy at this point. We shouldn't reward them by continuing to risk our Soldiers' lives at this point. And not only that, but the other problem was because of the Battle of Wanat that occurred, it would have taken a lot more force to hold that Combat Outpost and we didn't have it. 3rd Brigade 1st Division didn't have it. We didn't have it and they had a little less than we did coming in, so there was no way they could have hold it as well because given the battle just occurred, now you would have had to take in even more force to secure it and there just wasn't the forces to do it as well. So I think there were a couple factors in Colonel (b)(3),(b)(6) statement Diamond that talk about that.

Beta

LtCol (b)(3),(b)(6): You mentioned earlier, sir that moving to Wanat was the absolute right decision to be integrated with the population. What was the understanding of the population's sympathy--sympathies in Wanat prior to the move, sir? Are you aware?

Hotel

COL (b)(3),(b)(6): In asking that question, the--what I was told by several people in the interviews was that the, in private, many of the--in private many of the locals wanted us there because they knew we brought security and everything we brought and the elders especially. When you got into small forums, you still had support. When you got into the larger more public SHURAS everyone was quiet. The reason they were quiet is because they knew there were insurgents amongst them and if their position became known that they were pro-coalition or pro, you know, government, then the insurgents would kill them. Because that's what they do. So, the people wanted us to go in there to help stabilize things, so the ANP reduced their corruption, you know help the government to--the district government to actually start working to help the people, get some development projects going. So, in private the feedback I got was told yes we definitely want you here. In public, they wouldn't say that because it was too dangerous and it was a dangerous--definitely a dangerous endeavor to go into Wanat. But--you know here is a very dangerous district, but it's also the district center. So, there was--there were definitely I mean to me again, I think--I still think it was the right thing to do to go in there.

Beta

LtCol (b)(3),(b)(6): How about the decision to withdraw, sir? What were your feelings when you learned that the order to withdraw?

Hotel

COL (b)(3),(b)(6): As a Deputy, it's not my position to, you know, to question the Chain of Command. But there was the thought that you don't want to be perceived as--hey you just had a fight now you're withdrawing and why--the same questions that were asked, that I asked Colonel (b)(3),(b)(6). Why was it valuable enough to occupy, but now that we lost blood in this Battle, it's not worth hanging on to. Those are tough questions. And I think those are tough questions that Colonel (b)(3),(b)(6), Captain (b)(3),(b)(6), Colonel (b)(3),(b)(6), the entire Chain of Command, they deal with it everyday. And they will never get rid of that. They've got to live with that--those decisions the rest of their lives and--because they lost 9--we lost 9 Paratroopers and it pains all of them. And they know it. That was their decisions and they didn't take those decisions lightly. I mean they were doing--they were making the decisions with the best information they had for all the right reasons. And again, the enemy does have a role in this and it is a very complex fight. But the Chain of Command didn't kill those Soldiers. Their decisions didn't kill those Soldiers. The enemy did. And I think that's the bottom line. But, hey it's--we're Soldiers. We got to take risks to secure population, a very difficult thing trying to get the government and the Afghan Security Forces to link up with their local populations, to take responsibility. It's hard. It's very hard.

Diamond

Diamond

Oscar, Delta

Beta

LtCol (b)(3),(b)(6): When you asked Colonel (b)(3),(b)(6) the question, why was it vulnerable beforehand, but it was time to get out. What was his response, sir?

Delta

Hotel

COL (b)(3),(b)(6): Colonel (b)(3),(b)(6), I asked him the question. He didn't answer that to me. So, I would--you would have to ask him that question.

Delta

Beta

LtCol (b)(3),(b)(6): Sir, what was your understanding--what was 2nd Platoon going to Wanat to do? What was their mission?

Hotel

COL (b)(3),(b)(6): Their mission was to secure the population, but also in the process to secure the population, but also to hook up the Afghan National Police so that they

were eventually securing the population. And also get the local--the district Governor to listen to the needs of the local population there in Waygal and start addressing those needs. And--either through local government opportunities or through--you know we use the Commander's Emergency Response Program, but all various means. But to help them--assist them to you know to do what they needed to do. So the government was effective and helping the people and seen as helping the people and there for the people. Securing--but the first aspect of that is security and that--again a very difficult location.

Beta **LtCol** (b)(3),(b)(6): Were they tasked with establishing a new position, sir?

Hotel **COL** (b)(3),(b)(6): Yes, they were. And it was initially you established a new position and there were controversy about whether it was a Combat Outpost Kahler or Vehicle Patrol Base Kahler. I don't know that it was really that big of a deal. When you first setup a Combat Outpost, it's a Vehicle Patrol Base and then---

Beta **LtCol** (b)(3),(b)(6): What is that, sir? What is a Vehicle Patrol Base?

Hotel **COL** (b)(3),(b)(6): It means that initially when you set up, you've got--it's not necessarily a permanent fixture. It's not permanent until you start getting full blown bunkers and you know dining facilities and things of that nature. Then it becomes a Combat Outpost.

Beta **LtCol** (b)(3),(b)(6): Was that planned for Wanat, sir?

Hotel **COL** (b)(3),(b)(6): Yes, it was. You know in the long-term. As it was mentioned, some of the outposts were very key to that but you can't--it takes time to build those outposts because you got to get the Outpost in place so it's almost like kind of a strong point. It can sustain itself, it can defend itself because it's overlooking providing over watch and you know to get the Outpost far enough away where it really has a positive effect you have to really strong point it and build it up and that takes a while to get to that point. And again, the OP Top Side piece initially was kept in close with the idea that they were going to move that OP further out and then they also had a

couple of ANA OPs that they were going to set up as well. In fact, the morning of the attack, they were sending out a patrol and that's one of the things that in Captain (b)(3),(b)(6)' statement he said they were doing was they were going to look for some locations for--decent locations for some OPs for that ANA platoon.

LtCol (b)(3),(b)(6): Sir, I noticed in your investigation, you used the term Vehicle Patrol Base exclusively versus Combat--versus a COP or COP Kahler. Could you explain why?

COL (b)(3),(b)(6): There was--there was again I think initially there was concern that from Colonel (b)(3),(b)(6) that the perception was that you had American Paratroopers that were overrun from a COP or you had a COP and you were going--but the reality was, it was a Vehicle Patrol Base and so he said okay well call it--I mean it's a Vehicle Patrol Base, just call it that because it's not like the enemy, you know successfully attacked a COP. They really attacked what was a Vehicle Patrol Base at the time. So----

LtCol (b)(3),(b)(6): When did he tell you that, sir?

COL (b)(3),(b)(6): I think that was--it was on the first day or so after the attack I think. I am going to guess and say it was on the 13th or 14th. But, to me it was more--I think it was more--again I think you will have to talk to Colonel (b)(3),(b)(6) about that more, but I just--it's more semantics in some ways, but it's a Vehicle Patrol--you know you set up a Vehicle Patrol Base initially then it becomes a COP. Okay. Alright. They called it COP Kahler because in the long run because in the long run it was going to become COP Kahler and so initially you got a Vehicle Patrol Base. So to me, okay alright fine and I think that was again semantics. It really is a Vehicle Patrol Base initially.

LtCol (b)(3),(b)(6): That conversation with Colonel (b)(3),(b)(6), sir, was--had you been appointed to be the Investigating Officer at that point?

COL (b)(3),(b)(6): I don't think I had. I think the decision to change it was probably like I said it was on the 13th. And I think I was appointed the night of the 14th and I

was out there the 15th, as soon as I could get a helicopter out.

Beta

LtCol (b)(3),(b)(6): Lieutenant Colonel(b)(3),(b)(6) Sigma

Sigma

LTC(b)(3),(b)(6): Sir, just a couple real quick. You mentioned a couple of times that your opinion was that it was very important to establish Wanat given the precarious nature of Bella. Was that your opinion before you became the Investigating Officer or did that kind of cement throughout your Investigation? Did you think that initially or did you think that more so as you learned information through your investigation?

Hotel

COL (b)(3),(b)(6): I think I learned more so in the Investigation because Wanat, that was Colonel (b)(3),(b)(6) --between Delta Colonel (b)(3),(b)(6) and Colonel (b)(3),(b)(6) and the CG. But Diamond then as I did the investigation it just became more and more--I mean I wasn't involved in the planning for Wanat. I just knew--that's why I knew Major (b)(3),(b)(6) November went out there cause--I would interact with him quite frequently, our Task Force Engineer, and I knew went there a couple times. But I didn't know the details on it. But no--I knew that they were looking at. So it was really more after the investigation that just solidified my thoughts that, yeah Wanat was absolutely the right decision. Was actually the right decision for all the right reasons.

Sigma

LTC(b)(3),(b)(6): And you mentioned several times that you looked at the facts so that we could report back to the families etc., but what do you think--is there any one thing that kind of sticks out in your mind as a takeaway with respect to the tactical decisions that were made--or is it just--was just bad luck and the enemy gets a vote?

Hotel

COL (b)(3),(b)(6): I can't look at any of the decisions that were made and say with certainty that you should have done this or you should have done that and the outcome would have been different or better or whatever. What I can say is you know I examined the decisions--the tactical decisions that were made and the reason why and did they make tactical sense to that leader at that time given the information that leader knew. The METT-T of that situation, the METT-TC of that

situation. And given that, I can't fault those leaders for those tactical decisions they make.

Sigma

LTC (b)(3),(b)(6): Maybe I can put a different way. Why do you think the enemy was able to overrun, or to have such a devastating effect on the force at Wanat?

Hotel

COL (b)(3),(b)(6): Okay. They didn't overrun--they did not overrun VPB Kahler. But, I think that, as it said in the report, the population seemed to support the insurgents. It said in the report that the ANP seemed to be cooperating. There's very strong evidence the ANP was cooperating with them. Where were the ANP during this attack? They show up after the attack in clean, pressed uniforms, not dirty. They had far more weapons cached in their arms rooms than should have had for the number of police they had. So--and that was one of the reasons why that Task Force Rock needed to get out there was to connect with the ANP because they knew there was corruption with them. To get them to do the things they needed to do. There was also problems with the District Governor. Colonel (b)(3),(b)(6) Diamond had been out to Wanat several times and talked to the District Governor and talked to the elders. And I think on two of those occasions that he was out there in May and June he was attacked as he was leaving. He was out there--he GACed in his vehicle and he was attacked and he felt very strongly that the District Governor was in collusion with the insurgents. But, it's very very hard to tell. But he felt very strongly that he was. And so there were a lot of--there were all of those factors.

LtGen Natonski: The 173rd ABCT, during your time there, the focus was what? COIN? Interdiction? What in that area?

Hotel

COL (b)(3),(b)(6): Sir, it was absolutely COIN. And--One of the things that concerns me is when I read the draft report that was done by Mr. Cubbison that was I guess intentionally leaked, there were a lot of false accusations in there about Task Force Bayonet and some things in there that--that really would--that may get you to question whether Task Force Bayonet, the 173rd, was actually doing COIN operations. And, sir, there is no doubt the Brigade was doing COIN operations. There is no doubt that Task Force Rock was doing COIN

operations. As I mentioned before, Colonel (b)(3),(b)(6), Diamond for his AO, he was the lead for security line of operation. But he had the provincial reconstruction team first that was led by Commander Lawrence Legree and then he was replaced by Commander (b)(3),(b)(6). Just Lime two--our prior two really top PRT Commanders. And then we had a NURISTAN Commander (b)(3),(b)(6)--or actually it was Commander (b)(3),(b)(6) was the second one and then the first one was Commander (b)(3),(b)(6). But, of course Wanat was on kind of a borderline Kunar and NURISTAN. But--see that made it difficult. But, within AO Rock, we had our best--not only did we have most of our Kinetic effects, but we had most of our non-kinetic effects. And it was because we understood the Brigade Task Force, the Battalion Task Forces understood that you don't win COIN by just killing the enemy. You have got to provide security, but you also got to get, more importantly, you got to get the Afghans providing their own security and we were working very hard to work with them to get them to take the lead for their own security operations. And you got to get the government to lash up and protect--and provide services to the people. Give legitimacy to that government. And you want to--the key mechanisms to do that was through development. To help these people out. So, without a doubt, Task Force Bayonet was fighting a COIN fight, you know Diamond Colonel (b)(3),(b)(6) sometimes you hear him. He was in the most contentious Battle Space we had. It's right on the border of Pakistan's very very dangerous areas. But he had the most fighting. But he also had the most positive non-kinetic effects. And if you want to hear the best feedback about non-kinetic effects, then I recommend, sir, that you interview the two PRT Commanders as well. And I can give you--this is just a roll-up of all of the SERP that we spent, which is just money. But there was huge effects, we spent easily over a hundred million dollars in AO Rock building roads, building schools, building medical clinics, that were all tied to the local government. I mean Governor Waheedi, I mentioned the Kunar Governor, when we finished building the Pesh Road, he went out and he did ribbon-cutting ceremony. And he insisted that the PRT Commander go with him. The PRT Commander said, no Governor this is your show. You need to get the credit for this. And, so Governor Waheedi was going to do a Ribbon-Cutting Ceremony in

four major towns in the Pesh Valley, with the last one being in Asadabad, the capital of Kunar. Governor Waheedi went out there, first ribbon-cutting ceremony and makes a big speech and he says he look, he told the people look, this road is being brought to you by your government. This is what we want to do for you. You can see all the development going on in the Pesh Valley is very good and make no mistake about it, says it's the Americans, the Coalition Forces that paid for this road. And they are helping to provide your security and we need your assistance so we can identify the insurgents, the enemies of the government of Afghanistan. And Governor Waheedi is right on with his messages. While this is going on, we listen in and we heard that the insurgents were planning an IED along the Pesh River Road to try to take out Governor Waheedi when he was going to his next speech. So, we had to stop what Governor Waheedi was doing, we got an EOD team out. They found the IED. They disarmed it. Delayed everything about 3 hours. And most governors would have said hey I had enough for the day, thanks a lot, you know. But not Governor Waheedi. He went to the next town and the next town and finished up in ASADABAD and he gave the same speech because that's the kind of Governor that we had. We had a really great Governor. We understood that. (b)(3),(b)(6) Diamond understood it. You know his PRT Commanders understood Delta it. Colonel (b)(3),(b)(6) understood it. We're working--I think the Brigade, as I mentioned, I had experience in Afghanistan from 2004 on and the Brigade was doing COIN better than--as good as anybody I had seen. As good as the Spartans were with Colonel (b)(3),(b)(6) even Allium I would say. But unfortunately, part of counter-insurgency is you got some bad guys out there. You got to kill them. You got to protect them. And it's interesting because when the insurgents--if civilians were killed, if you really killed innocent civilians, there would be an outcry and it was right at the--in the provincial capital. Because the people would know innocent civilians were killed and they would riot and they'd get really upset. But if they--if someone claimed they were civilians and they were really insurgents, normally the response was, there wouldn't be an outcry from the public because they knew hey those guys got what they had coming. And it was kind of justice. And so you would see that--you would see that kind of planning out and the PRT will tell you

that because they would monitor the population responses very closely. And of course, again, I think that the Brigade understood that. There were a couple of Battle Spaces where it was very difficult like in Kurngal Valley where was this a COIN fight or was this--what the heck were we doing there. I mean we had inherited this Battle Space. A lot of fighting going on there. You know just to give a demonstration of Task Force Rock and the Brigade understanding COIN, November 2007 Colonel (b)(3),(b)(6), the Brigade planned a Diamond big operation called Operation Rock Thrust and it was a series of raids and attacks throughout AO Rock and they really shaped--they shaped--a shaping operation that this whole thing consisted of. But the outcome of it was they, for the first time ever, they got all the elders from all the villagers along the Kurngal valley to come to a SHURA. And at that SHURA you know they got the elders to discuss you know the security of the KURNGAL Valley and the thing the elders wanted and we kind of anticipated they were going to want this because they saw how great the Pesh River Road was, can you build us a road down the KURNGAL Valley is what they asked for. And Commander (b)(3),(b)(6), he told lambda the elders, he said look, we can do this, but if we do it, we are going to bring in Indians and we are going to bring Pakistanis because we paid very well. And that really shocked the elders. They said no, no, no. We want our sons to get those jobs. And Commander Lambda (b)(3),(b)(6) was just leading them on and he was looking for that response. So they got the elders to sign up to put a road in the KURNGAL Valley, to sign up to really want one. So for the first time ever, we were trying to shape the dynamic of the KURNGAL Valley from being just a strictly Kinetic fight to hey let's get in to getting the government connected and get some development and all. Now, limited success with the road because the insurgents realized how dangerous that road is to their longevity, so we did make some great progress on that road while we were there. I don't know where that thing's at right now. But we--the Brigade absolutely understood that this is a COIN fight and that it was very very difficult in some places like we had inherited like the KURNGAL Valley is, why were there. How are we really helping the population if we are just killing these guys in this area. We were definitely--the Brigade understood that it was a COIN fight and we were trying very hard to

work to connect the local population with their government and truly separate them from the insurgents--the population from the insurgents.

LtGen Natonski: When the civilian medical personnel were killed, what kind of feedback did you get then? Especially through Intel Chains?

Hotel **COL** (b)(3),(b)(6) The--Sir, it was--I think we just knew it verified what Lieutenant (b)(3),(b)(6), the Platoon Leader that had been at Camp Bella or FOB Bella, he had said that the individual was killed. That he was--the doctor was killed and that he was brought to Aranus. That's how I knew--it verified that he went to Aranus because the Intelligence said that that's where he went was to Aranus. But, that was--I knew that but I don't know----

LtGen Natonski: You had not heard of any displeasure throughout the Waygal Valley that a nurse and several doctors had been killed. Their only medical personnel in the Valley?

Hotel **COL** (b)(3),(b)(6): No, sir. I had not--I had not seen the intelligence reports that said that. No, sir.

LtGen Natonski: The location of Wanat, you talked about COIN OPS, going back to Bella and Aranus, both very isolated. Both primarily to interdict I think because there weren't any population centers there. Is that why--plus difficult other than by air. So as you--you inherited both Aranus and Bella, is that correct?

Hotel **COL** (b)(3),(b)(6): Sir, the Brigade inherited both of those.

LtGen Natonski: Okay. So it was your decision that we want to get into the COIN fight. There's no population, so we wanted to pull out of those positions. Is that about right?

Hotel **COL** (b)(3),(b)(6): Sir, I would say--as an Investigating Officer to get those--to give you the answers. The answer--the reason why we pulled out of Aranus was--I say we but you know as an investigating officer looking back at it, because it wasn't my decision, but it was just what you said. We weren't connected with the population because there was no government there.

There was no means of getting development there. There really wasn't a good crossroads to even interdict Aranus. So Aranus had almost no value whatsoever. So the decision to close Aranus was made pretty quick and as quickly as it could be done, it was scaled down. Now Bella did have the value of being at a T-intersection. So when you go up the Waygal Valley, it kind of ends at kind of a T as a big mountain range. It goes east-west and it ends at this T. So you've got a traffic control point right there. So when it was set up, at least you could interdict traffic that came through and see who's coming through. Okay, that's the doctor's remains coming through. We knew that. So, that at least there was some limited value. But again that value was so limited compared to the risk that you put the Soldiers under, it just didn't add up. It was--

LtGen Natonski: But Wanat fit the strategy better. That had the population, the District Center, the ANP----

Hotel **COL** (b)(3),(b)(6): Yes, sir----

LtGen Natonski: Hence, the selection for Wanat as you shut down Bella?

Hotel **COL** (b)(3),(b)(6): Yes, sir.

LtGen Natonski: Okay. The timing; I gather it took a while to negotiate the land that the base was established on at Wanat. It took months----

Hotel **COL** (b)(3),(b)(6): Yes, sir----

LtGen Natonski: Of negotiations with the elders and I guess there was some discussion that the elders would have preferred of just going in and maybe securing land and then paying them back rather than being perceived as negotiating with the Americans, which would put them in a bad light with any of the Taliban. Is that about right?

Hotel **COL** (b)(3),(b)(6): Sir, that's what Colonel Diamond (b)(3),(b)(6) statements said. Yes, sir that makes absolute sense. And I don't remember--I want to say it was about 10 months that they were negotiating. I mean it was a long time

that they were working to acquire that land and that was a finding in the report as you know that----

LtGen Natonski: The land certainly was in proximity to the town, the Bazaar, but it was also in a bowl with dead space around it. It was kind of on a plateau, not the most tactically choice land, although it did have a road. So you had the ability not only to re-supply or reinforce by air, but also by road. Getting back to this Vehicle Patrol Base versus COP because that has come up previously and your investigation almost totally refers to it as a Vehicle Patrol Base and I think in your investigation it talks about it's a Vehicle Patrol Base when you set up but then it's expanded to a COP when conditions were set. When was it a COP? Did it not reach that? If I go back, I believe this here is your storyboard, the Battle of Wanat----

Hotel

COL (b)(3),(b)(6): Yes, sir----

LtGen Natonski: In here there's a--this is post-battle, but it talks about a Vehicle Patrol Base and re-positioning to Blessing. This is after the decision was made to pull out of Wanat, but it talks about Vehicle Patrol Base Wanat was a temporary position and a proposed COP, not a Combat Outpost. By definition, VPBs move. And it says VPB will not allow Coalition and Afghan Forces to re-position the fight and defeat a numerically superior force while also being able to quickly protect the force with ground reinforces--reinforcements and aerial fires and re-supply. I don't see anything about COIN in here. But I do see that it's great for fighting enemy forces. Here this is the CONOP for Rock Move. I think you're familiar with that----

Hotel

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

LtGen Natonski: Here the intent, pretty specific, establish COP Wanat. COP. And I think throughout everything I've seen, with the exception of the investigation, it's referred to pretty much as a COP or a FOB. Now VPB is not a doctrinal term. I don't know where you can go to find a definition of a Vehicle Patrol Base. Although I think we all understand you got a few vehicles and you set up a defense and then maybe the

next day you move on. That was never the intent with Wanat, was it?

Hotel **COL** (b)(3),(b)(6): No, sir.

LtGen Natonski: Okay. Here under this Rock Move developed by I guess the Battalion this is----

Hotel **COL** (b)(3),(b)(6): Yes, sir----

LtGen Natonski: 2nd Battalion. It says Established COP and it says OPs, Fighting Positions, Force Protection Walls, and Bunkers. Now this only covers the 8th through the 10th of July. I don't know what they were supposed to do after that because I don't think there is anything in writing. But that was to establish a COP and we know that they had ISR during the closing of Blessing--not Blessing but Bella. But they also had ISR over Wanat as they established Wanat, at least for the period 8 to 10. And I think it actually extended almost to the 11th. I think the 12th they lost their ISR. COP Wanat here it says establish COP Wanat. OPs, Fighting Positions, Force Protection Walls and Bunkers. What didn't they have when the attack took place in terms of OPs, Fighting Positions, Force Protection Walls and Bunkers? When does a Vehicle Patrol Base become a COP?

Hotel **COL** (b)(3),(b)(6): That's--you know it's--I think when the decision is made that you're going to be there--when you built up, invested enough, at some point you've been there long enough that you know that you are going to be staying here for certain and----

LtGen Natonski: Well, you say staying there for certain. There was never any question that Wanat was not going to be a permanently established Combat Outpost. Nowhere have I seen that this was going to be an in and out operation and the decision was made to evacuate only after the Battle. This was during a RIP/TOA with the 3rd Brigade of the 1st ID, is that correct?

Hotel **COL** (b)(3),(b)(6): That's correct, sir.

LtGen Natonski: Why was a decision made during the RIP to put that Combat Outpost in Wanat? Why then? They had

already put the personal effects back home, the members of 2nd Platoon Chosen Company.

Hotel **COL** (b)(3),(b)(6): Well, sir, I think when you go back to--it's very very difficult to I mean at some point you've got--you fight through your TOA. You don't take a break. The enemy doesn't take a break. We don't take----

LtGen Natonski: I know because I was a Division Commander in Iraq and I did the same thing----

Hotel **COL** (b)(3),(b)(6): Yes, sir.

LtGen Natonski: But why did they do it with less than about two weeks is what most of the Troopers who were on that site said. Why did we need to establish the COP then?

Hotel **COL** (b)(3),(b)(6): Sir, it goes back to the amount of resources you have and the experience of the Brigade it could do and the Task Force. They had the ability to establish what needed to be done and to help set up their Brigade, 1st Division, for success so that they would have ideally--ideally was to get them postured so they had what would eventually become a Combat Outpost just north of Blessing that was tied with the District Government of Waygal which--where we had a lot of problems, that was in the location that was tied to the local police and if we had not--if the Task Force had not tried to do this, then there's almost no way 3rd Brigade 1st Division could have set it up with the Forces they had because it just takes a lot of experience and just getting the resources lined up. This is not--this operation was one can see for a long time that people know it was a good idea to do it, but again the land negotiates and everything took a long time to get to the point. So if we had passed the decision on to 3rd Brigade 1st Division, in all likelihood they wouldn't have gotten to and may have put them in a dangerous situation because the impending attack wouldn't have come against the 173rd, it would have come against the fresh Troops of the 3rd Brigade 1st Division, which is what the enemy would have really liked to do because they loved to test new unit. We know--everybody that's done rotations know that the enemy watches for our TOAs, they look for the new patches on the shoulder. They look at the

telltale signs of a new unit and they want to test them. Had we not gone to Wanat to establish Wanat, the test would have come to the 3rd Brigade 1st Division and it would have been the consequences potentially would have been a lot worse. And as I mentioned before, the 3rd Brigade 10th Mountain took--undertook enormous Combat Operations to help set the conditions for the 173rd when we TOA'd with them because they know they want to get the combat effects on the enemy so that they're less--you'd take some of that venom out of them so they don't test us as much because it's hard enough coming into a new Battle Space and then you got an enemy that's been there for long long time. They know it really well and then they test you. So the more fight we could take out of the enemy--the unit that leaving, departing unit, can take out of the enemy, the better the conditions are for the incoming unit. So Wanat was conceived as one of those things. Look we need to set this up. If they attacked us, which they did unfortunately, well if there's a good aspect of it there were a lot of insurgents that were killed during that Battle and perhaps took the venom out that would have happened against the 3rd Brigade 1st Division. And more importantly than that, is the population center in the Pesh Valley was protected and had we not tried to--attempted to establish Wanat, that attack would have most likely come on Nangalam and Camp Blessing and endangered that population which was connected with the government of Afghanistan and we would have lost a lot of the progress that had been done over the previous 15 months.

LtGen Natonski: So in addition to using an experienced unit to set this up, which only strengthens the point, their was never any plan to go into Wanat and leave. You would not have established the Combat Outpost or Vehicle Patrol Base in the last two weeks of this unit's 15 month tour in Afghanistan if there was any intent to leave. You were setting up the 1st Battalion--or the 3rd Brigade 1st ID for success. Am I right?

Hotel

COL (b)(3),(b)(6): Yes, sir. I think--yes, sir. You're right.

LtGen Natonski: I mean otherwise what was the purpose of putting that COP in to Wanat to further the COIN

strategy and I suspect also as you say here reposition the fight to defeat numerical superior force. I guess it also protected Camp Blessing about 8 kilometers to the north. It provided a position there. I guess you know the question once again and it talks about maybe perhaps continuing to patrol even after the Outpost had been abandoned and maybe establishing another Combat Outpost at Wanat in the future----

Hotel **COL** (b)(3),(b)(6): That's right, sir----

LtGen Natonski: At least based on that. Okay. Once again you can see the questions about Vehicle Patrol Base and Combat Outpost and you know what constitutes Vehicle Patrol Base and I would no doubt agree on the 8th of July and into the 9th it was a Vehicle Patrol Base because they hunkered down in the rain and set up a little perimeter and kind of spent watch. But after that, they spent as you already said, their focus was Force Protection and getting things set up; HESCO Barriers and Concertina wires and OP etc. You heard nothing really about re-supply, engineer supplies, water, anything as the Deputy Commander of the Brigade----

Hotel **COL** (b)(3),(b)(6): No, sir.

LtGen Natonski: In the investigation it did come out that water became low but as far as we've detected never to the point where they didn't have water, although they did resort to iodine tablets on occasion.

Hotel **COL** (b)(3),(b)(6): Yes, sir. In fact, I asked Sergeant Yankee (b)(3),(b)(6), the Platoon Sergeant, about that because it did come up and he said that there were some squads that had water because there was water there. There was water, there was a river right there and use iodine tablets. There were a couple wells. There was a well right there nearby the town--100 meters away.

LtGen Natonski: In your investigation, did you pick up on problems with small arms. M4's or SAWs? Not battle damage because there was horrendous damage to weapons as a result of the excessive RPG and Small Arms fire that the position had. Did you see a trend, or throughout your tour in Afghanistan, did you see a

trend with the reliability of the weapons that our Soldiers went into Combat with?

Hotel

COL (b)(3),(b)(6): No, sir. I didn't. And I can't recall any statements where anyone complained about the quality of their weapons.

LtGen Natonski: I think there was a statement by one of the Soldiers the M4 overheated. The barrel turned white hot. But that was just as a result of the number of rounds he put through, but we've heard statements where machine guns were literally blown up and bent the barrel so that's not a result of the manufacturer and you saw nothing that was--come up in your interviews where these weapons are no good?

Hotel

COL (b)(3),(b)(6): No, sir. In fact, I guess it's difficult for me because when you look at my experiences as that I mentioned at the start of this interview at Shape working with our NATO partners to generate forces for ISAF and you look at how those governments--those nations of our friends in arms how they are supported with their weapons systems and their logistics and their manning, it wouldn't be tolerated in the United States. With their standards--in many cases, most cases, wouldn't be tolerated. We're the model Army. We have, for the most part, for the most part, the best weapons systems money can buy and for the most part our soldiers are better equipped, they're better led, they're better provisioned than any of our allies and there's a couple of allies are well that fit that category, but none can really match the United States and I have that appreciation, that perspective from my previous assignments. But, no I did not hear that statements where there was problems with bad weapons or anything like that, sir.

LtGen Natonski: Last question on ISR. There were indications and warning of an enemy potential attack on Wanat. I mean the Soldiers on the scene detected the absence of women and children. They were surveyed for at least a couple of days by military age males in the village watching them just staring at them. One of the residents had indicated hey there's an attack coming. I think there was Intel that the forces up in Bella after that had been evacuated were going to work their way south. There were groups of 5 or so spotted

up on the hilltops even the night before the attack. ISR, at least Predator, and you said Shadow didn't work in the Valley and we know that. Raven was a difficult platform as well. The Predator was siphoned off for probably higher priorities somewhere. I think there was confirmation that at least at the COP or VPB word was passed up to at least the Battalion that they were concerned about an attack and they were standing to when the attack took place on the position on the morning of the 13th. On that--If that word was passed up to the Battalion, did the Battalion ever indicate to you we need Predator. We need you to fight the battle to get the Predator back. Do you--are you aware in your capacity as the Deputy Commander of the Brigade of any push from maybe the Brigade to the Division to say hey we're getting a lot of INW of a pending attack here in Wanat area. Can you shoot us over some ISR, an Apache, or Predator. Give us some time on a Predator.

Hotel **COL** (b)(3),(b)(6): No, sir. That was not brought to my attention.

LtGen Natonski: Okay. Do you know if it was brought to the Brigade's attention?

Hotel **COL** (b)(3),(b)(6): No, sir. I don't.

LtGen Natonski: Okay. General Perkins.

MG Perkins: You had talked about when you were talking with General--or Colonel (b)(3),(b)(6) once you were going to Diamond become the Investigating Officer and one of the issues of concern, especially when you found out the nature of the fight, was fratricide and let's take a look at the FLIR tapes. Let's talk to Apache pilots who executed that. In that vein, were there other specific focus areas of the investigation when you were told to be Investigating Officer. In other words, take a look at fratricide, take a look at preparation, take a look--you know were there some very specific areas that you were----

Hotel **COL** (b)(3),(b)(6): Sir, yes, sir, there were--my appointment orders were signed by Colonel (b)(3),(b)(6) the CJTF Chief of Staff. And in the Appointment Orders, he had a dozen or so areas that I was directed to look at and when I structured my report, I structured upon answering those specific areas that he--that I was directed to

look at. Of course, as the Chief of Staff, he signed that for the CG and so my report was structured--going at all those, but by the same token it was kind of an open-ended if you see something that needs to be investigated, you know use your experience and look into it. The biggest thing that was kind of the obvious thing that needed to be addressed was how did these soldiers die and was there fratricide and so--and that really became apparent the first day when I got to Wanat and as I mentioned Captain (b)(3),(b)(6) explained how danger close those Apaches were firing in support. So I immediately got the hey requested the FLIR tapes and we had to take a really really close look at that and try to rebuild the fight as best as we could in terms of what happened minute by minute and getting the statements on how each Paratroop passed and what not.

Oscar

MG Perkins: Okay. Then as you were kind of going down to this sort of an outline fashion understanding as you said that if there were areas that needed attention you had all the leeway you needed to do that. Were there any areas that came up as you were doing the investigation that either in the process of you doing the investigation or if you had intermittent conversations with Colonel (b)(3),(b)(6) before that, I said you know I really need to dig deeper in this. In other words, I need to go back and relook at this. You know were there any particular areas that may be upon further inspection you had to go and relook at again?

Delta

Hotel

COL (b)(3),(b)(6): Sir, I don't recall any areas like that. I mean the only--the biggest feedback I had was more from the Brigade Judge Advocate Review of the report, but it was more you need to footnote this or reference this and that. There were--most of his suggestions were good and I took them as I had mentioned before. There were a couple I didn't. But you know there's maybe he--for my consideration but you know look no that wasn't right and ----

MG Perkins: But there were no areas like oh, okay hadn't thought about this, didn't think this was going to be an issue. We have some very conflicting testimony here or something and you need to you know--we need to relook that part----

Hotel

COL (b)(3),(b)(6): No, sir. That didn't come back from----No, sir it didn't. And in fact, I didn't--I don't recall that at all. No, sir.

MG Perkins: You--173rd took over from 3rd Brigade 10th Mountain, correct?

Hotel

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

MG Perkins: And you said prior to that there had been some boundary readjustments and they'd been extended etc. When 173rd came over did you inherit basically exactly the same footprint at that time that 3-10 had. In other words, by the time they had been extended and moved around, you basically became a mirror image of them as far as your macro-level boundaries went?

Hotel

COL (b)(3),(b)(6): Yes, sir. Initially. That's correct.

MG Perkins: And did that change throughout any of your time there?

Hotel

COL (b)(3),(b)(6): Yes, sir. It did.

MG Perkins: Changed how? Smaller? Bigger?

Hotel

COL (b)(3),(b)(6): There were some boundary adjustments that were made probably about--I think it was about 9 or 10 months and Colonel (b)(3),(b)(6) put out an O plan and Delta basically I think the biggest--there were addition of a couple FOBs, but one of--the biggest one was the establishment of Goshta, COP Goshta in Nangahar and that also dealt with the transfer of a troop from 1-91 Cav to Task Force Raptor. So Colonel (b)(3),(b)(6), who was Dollar already kind of strapped for forces, he lost a troop to go to AO Raptor, but in that process that troop that he had, he gave up a COP that was at--I think it was COP Monty----and Task Force Rock took that over.

MG Perkins: Okay, so basically throughout your time there you had gone through a process of giving up some COPs and establishing other ones.

Hotel

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

MG Perkins: The whole movement out of Ranch House, Bella, and the going of Wanat was not a new process. I mean you had done this before.

Hotel **COL** (b)(3),(b)(6): No, sir.

MG Perkins: Was the way that you had done Bella and Wanat the same way that you had done the previous disestablishment and establishment of a COP? In other words, for instance you had talked about some people said hey why don't you hire a KBR, go into a turn-key thing. Once all the barriers are up or everything then you occupy it. Had you ever done that before? Or had in the process of establishing a COP, done a similar thing where basically where it basically sort of starts out for lack of a better term as a Vehicle Patrol Base, we then continue to improve upon Force Protection etc.

Hotel **COL** (b)(3),(b)(6): Sir, I think that question would be better answered by Colonel Delta (b)(3),(b)(6) and Colonel Diamond (b)(3),(b)(6). I mean just--I mean from my perspective as the Deputy Commander, I didn't see a whole--I mean every situation is different, so you just can't compare--it's hard to compare the establishment of one COP and the takedown of one COP with the establishment takedown of another because again the Battle Space was so different. So it's difficult to make those one to one comparisons, but again I would give you that perspective as a Deputy Commander and I think that the best ones to ask on that would be those Task Force Commanders because even when you look at some of the COPs in AO Raptor they weren't nearly as dangerous as the ones in AO Rock. So the way--the TTPs for establishing and disestablishing a COP was going to be totally different just because of the security situation. It's very difficult to make those kinds of comparisons.

MG Perkins: In your investigation, and you had said earlier the COP or the Vehicle Patrol Base was not overrun. In your investigation were there any indications that it was penetrated at all by any size force?

Hotel **COL** (b)(3),(b)(6): Sir, the only--it was really I couldn't find any evidence to say that it was penetrated. I think that the closest for sure that someone got was right to the

wire. Because they were--the enemy was within hand grenade range. But I could not find any evidence to say that there was an insurgent that got beyond the--and when I say up to the wire I mean at OP Top side, so it wasn't on the actual VPB itself, but the OP. But I think that the closest that I could tell was right on the wire. But I could not find any evidence that said conclusively hey I shot an insurgent and he was inside the OP Top side you know inside the wire or anything like that and--or I saw a dead insurgent inside and there were three different groups that reinforced at OP Top side. Of course, the two of them that got up there and then a group--actually another group that came even later, but three came during the battle. But those groups that got up there there was nothing in anyone's statements that said I saw a dead insurgent inside of the VPB or OP Top side. So there was no evidence that said that. I mean no one in their statements said that and----

MG Perkins: Okay. Taking--you were up there within a couple of days afterward, you saw the terrain. You've spoken to a lot of Soldiers that were there. In hindsight, and this is not trying to armchair quarterback you, but just taking a look at what was there and taking a look at some of the decision making process, a lot of people throughout various things you could have done this, you could have done this, you could have done this. In your mind, what would have made a difference? For instance, if you came to the conclusion that the perimeter was not penetrated then having five more layers of concertina wire one could argue wouldn't have made a difference because penetration of the perimeter was not a proximate cause of them--you know what I'm saying. So we could have done a lot--we could have done a lot of things, but some of the things would not have made a difference because they were not part of the proximate cause of the Soldiers deaths. So, having looked at it extensively, what would have made a difference in your mind do you think?

Hotel

COL (b)(3),(b)(6): Again don't know. There's a possibility that, and you know you could argue either way on this, you could have done some dismounted patrols that had--you'd just done some R and S patrols. You know and keeping in mind you don't want to endanger your

Soldiers, but if you do an R and S patrol within--within sight only a couple hundred meters. You don't even have to go far. But if the Platoon had done some of those, just a few of them that night, there's a chance that they would have disrupted the enemy and got in its decision cycle before the attack and that may have saved some lives and again, possible; who knows.

MG Perkins: Understand and I am not trying to engage in arm chair quarterbacking, but just trying to take advantage of some hindsight here. So from a point of view of construction of the COP, I mean the physical construction, as it was and when you went up there and saw it after the Battle, there's nothing that jumps out at you to say if this had been done on the physical construction it would have made a difference?

Hotel

COL (b)(3),(b)(6): When I got there, sir, much of the--the barriers had already been taken down so I could see some of the remnants.

MG Perkins: Understand.

Hotel

COL (b)(3),(b)(6): So I couldn't say for sure how--I mean Captain Myer described it.

MG Perkins: So I understand you kind of have to go by as it was described later. Well I guess so it is somewhat fair to say that what would have--18 months have gone by I guess since then whatever 15

Hotel

COL (b)(3),(b)(6): Yes, sir. It's been a long time.

MG Perkins: So, 15 to 18 months after the fact and with the extensive investigation that you have done and going on the spot, the fact that you had to pause to answer question means that nothing--even after all this hindsight, nothing jumps out immediately to say it is obvious that they did this it would have prevented that?

Hotel

COL (b)(3),(b)(6): Not with certainty.

MG Perkins: Okay. Based on your extensive investigation talking to people and having been in the unit, taking a look at the planning, preparation and execution of

Wanat, as well as the fight itself, and then the oversight at various echelons of the planning, preparation, execution of establishing Wanat and the fight, is there anything in your mind that would rise to the level of what you would call dereliction of duty of anybody involved?

Hotel **COL** (b)(3),(b)(6): Absolutely not, sir.

MG Perkins: You said that Colonel Blue (b)(3),(b)(6) has been involved in this at various levels, talked to various people. And then you said at one time your perception was guiding the investigation. What do you mean by that?

Hotel **COL** (b)(3),(b)(6): Sir, it seemed like he was trying to guide the investigation. Part of it was--

MG Perkins: Your investigation?

Hotel **COL** (b)(3),(b)(6): Yes, sir. Because he was going to Colonel Delta (b)(3),(b)(6) and some of it--he had done a Congressional while the investigation was ongoing and so some of the questions that he was bringing up were that I saw were already addressed in the report. So okay.

MG Perkins: Was he trying to drive conclusions of your investigation?

Hotel **COL** (b)(3),(b)(6): I don't know that for sure, sir. But it sure seems that way, especially 15 months later----

MG Perkins: Was he trying to influence testimony of anybody?

Hotel **COL** (b)(3),(b)(6): Sir, the impression I had gotten, of course this is third hand, is here's a retired Colonel and he goes you know to visit these Soldiers that were in his son's Platoon that are you know in a hospital bed or whatever and then--these guys are pretty shaken up as it is, but there's no sworn statements or anything like that. It's hey these guys really--you know I got the impression that he's kind of leading them on telling them here's what happened. Here's what I heard so and so say and now you got--Soldiers are always going to you know bitch, I mean especially when you've been through hell like these guys have and you know if you're--you know I am not in Colonel Blue (b)(3),(b)(6) shoes, but I mean certainly he's gone

through a very very difficult thing losing his son. But you know it sure seems like you know he's gone to a lot of these Soldiers and tried to get them to say things that they didn't say in their sworn testimony--
--

MG Perkins: Is this while your Investigation was still open?

Hotel

COL (b)(3),(b)(6): No. After. After the fact it seemed, sir. And it just seemed--I get that impression because you know of course he's really attempted to find someone responsible, to blame somebody for the loss of his son.

MG Perkins: You said--have you read the Garnet (b)(3),(b)(6) draft?

Hotel

COL (b)(3),(b)(6): I read the conclusions. What you call the lessons learned and I hit some highlights. I did not read the entire thing, but I read portions of it.

MG Perkins: You allude to the fact that I think you had a difference of opinion with some of his findings or conclusions. For instance, give me some examples of after you have read his part that you have distinct difference of opinion and why.

Hotel

COL (b)(3),(b)(6): Well, sir, as an example. In his report, he just makes a statement that 22 civilians were killed by Task Force Rock on 10 July--or on 4 July in Bella and his footnote for that I believe is a interview--a telephonic interview he had with an Afghan maybe I think it was the District Governor who wasn't there. And there was a full-blown investigation, I did it, that said no, very unlikely that twenty--that U.S. Forces killed 22 civilians. Very very unlikely and in fact, if there were civilians killed, it was more likely that the insurgents killed them because they just shoot their rockets and they don't really care where they land and I looked at the FLIR tapes of the two vehicles we did take out and then you look at the effects of that, and the positive effects that happened at Bella that was just impending a major attack. And you take all this experience and investigation and you throw that out the window and say oh that was just a fabrication and you take a statement from a District Governor on the phone that's had a history of lying. He comes from a culture that

lies pretty regularly and then you got an officer who's served his country for over 25 years and I've got a lot at stake. And to have my integrity questioned like that----

MG Perkins: Did you speak with Mr. Garnet (b)(6) at all?

Hotel **COL** (b)(3),(b)(6): Mr. Garnet (b)(6) never once tried to contact me when he did his report. Never once. And so no, sir, I never spoke to him and he never once tried to contact me.

MG Perkins: Okay. Based on interviews you did as the Investigating Officer, both Chosen Company and Task Force Rock, and the Brigade Combat Team in just having been there, in the unit, were there any issues Platoon Company Battalion, whatever, of morale issues, Command Climate issues would you say?

Hotel **COL** (b)(3),(b)(6): Sir, there was--in Task Force Rock there was a lot of stress because they were in a lot of combat and so you know--Colonel (b)(3),(b)(6) will tell you this. Diamond Delta Colonel (b)(3),(b)(6) will tell you this. We had a Brigade Psychologist that was permanently stationed with the Kurngal Outpost because those guys saw a lot of combat. But they all did. And the Brigade made a lot of efforts to get you know some good counselors out there--trained, qualified counselors out there. Not just psychologists but also Chaplains. And he really made a great effort to work with those Soldiers because the level of stress that they were under. But in terms of the Command climate, I never heard that there was a problem with the Command climate at Task Force Rock. In fact, the Soldiers in that Task Force were so proud to be part of Task Force Rock I mean you could see it. The Espirit de Corps was immense. But of course that's coupled with going through some really tough tough fighting because it's serious business when your buddy's getting killed and you see that. But when you look at what that Task Force had to do and the difficult operations they undertook you know I can say nothing but great things about the Soldiers of Task Force Rock. The Espirit De Corps and the morale was commendable. I mean if every Army unit was like Task Force Rock, War would have been over 5 years ago. They had some really great morale overall and that's granted there's a lot of tremendous amount

of stress those Soldiers went through and the Brigade did everything it could to try to help them----

MG Perkins: How would you assess their state of training for the mission, both from a kinetic point of view you know Platoon level up through Task Force Level, as well as their ability to understand and execute COIN?

Hotel

COL (b)(3),(b)(6): Okay, sir, I think you're asking this in the terms in the context of the (b)(6) Garnet report?

MG Perkins: No, just your professional opinion of both those investigations----

Hotel

COL (b)(3),(b)(6): My professional opinion, sir, is that the best--in a COIN environment, even when we were in Bosnia you know doing an SFOR mission. You know my NATO Friends would tell me you know the best COIN strategy for the American Soldier is to be all outfitted in his kit you know with his body armor and his weapon ready to go because it sends a positive message to the population that you aren't going to take any crap and you are there to secure people. You are not handing out lollipops and all, but you are there to secure people and you mean business. That was in business. But when you go to a place like Afghanistan where these people have been fighting for centuries and centuries and centuries. If they see--in that culture, a warrior is at the very top of their culture. And when they see an American Soldier that's a warrior, that engenders respect in their culture. You've got to have warriors that act like, look and act like and are perceived as being warriors in their culture. That said, the leaders have to be very adept at working very closely with the population to help identify the needs, to help ensure that the local government is doing their job and identifying the needs and meeting the needs of the people and reducing their level of corruption. So very very complex, but I think at the Soldier level, you know what are the real requirements. The real requirement is that Soldier looks and acts like a Soldier and he takes care of business. You've probably read Duffer's Drift, sir, you know you got to work with the population. We're there to secure them, but at the same time you always have to be careful because you don't know if that population is really a friendly population, your

center of gravity, or is it an insurgent that's slipped in and is really an insurgent. And so you always have to have that level of you know concern, but they're the population. You still take care of them. So there's a balance of that. Answer your question, I think the Task Force Rock, Task Force Bayonet was extremely well-trained to do its COIN mission and they understood it, but I think sometimes people will write things that sit way back in a cozy office and claim to be the masters of COIN and everything but that Soldier has got to do his job as an Infantryman and part of his COIN strategy is hey he needs to look like a Soldier and he needs to deter threats. So to say that--do they understand COIN, absolutely. And once again, it's different levels of leadership that have different responsibilities and they go back to Provincial Reconstruction Team you know its lead with governance, its lead with development. You go to a place like Wanat where you know it's dangerous. You're going to have a lot more security emphasis initially and then slowly as you build the relationship, and you almost have to force it, you work with the local police, you work with the local government. You make sure it's real clear to them you're for real and you're going to win this place and now they side up with you. And then, now we bring the PRT out, now we start talking some projects and we really start meeting the needs of the people and really start getting things going like we had them going in the Pesh. But you just don't do that by going out there and passing out lollipops on the first day or first four days. It takes time and it is very dangerous. The only ones that can do it are those Soldiers and it's extremely dangerous business. And so do they understand the COIN? They understand their aspect of it. And it's the worst aspect of it that they've got to deal with unfortunately.

MG Perkins: Okay. Thanks.

Beta **LtCol** (b)(3),(b)(6): Major (b)(3),(b)(6) Owl

Owl **Maj** (b)(3),(b)(6): Yes, sir. Just to follow-up, sir, on the COIN strategy. So, would the 8 or 10 months of the prep of the negotiation for the land on Wanat, was there--and I think you might have just answered the question, was there any type of Key Leader engagement, Civic

Engagement between those months as the Platoon moved into Wanat? Be it by cooperation, by information, whatever it takes to get into the mindset of the population.

Hotel **COL** (b)(3),(b)(6): There were several. Diamond The ones, and both Captain Oscar (b)(3),(b)(6) and Colonel (b)(3),(b)(6) can talk to that in detail, there's a Bailey Bridge that sits in Wanat that was put in by the Task Force Rock when it first got there they can--and that was one of those things that was done to show here's why the government is here. Here's why the Coalition Forces are here. So yes there were, but both Captain (b)(3),(b)(6) and Colonel (b)(3),(b)(6) Oscar, Diamond will be able to give you a laundry list of a number times they went up and different discussions they had.

Owl **Maj** (b)(3),(b)(6): Thank you, sir. Nothing further.

LtGen Natonski: Okay. Colonel Hotel (b)(3),(b)(6), you are ordered not to discuss the testimony you provided today with anyone other than members of the Investigation Team. You will not allow any witness in this Investigation to talk to you about the testimony he has given or which he intends to give. If anyone should try to influence your testimony or attempt to discuss your testimony, you are instructed to notify Lieutenant Colonel (b)(3),(b)(6) and Lieutenant Colonel (b)(3),(b)(6) Sigma. Do you understand that?

Hotel **COL** (b)(3),(b)(6): Yes, sir.

LtGen Natonski: In closing, I would like to thank you for your service to our Country, to the Army, for what you've done on your previous tours in Afghanistan and I wish you luck in your current assignment.

Hotel **COL** (b)(3),(b)(6): Thank you, sir.

LtGen Natonski: Thanks.

[The testimony closed at 1125, 20 October 2009.]

CERTIFICATION OF VERBATIM TRANSCRIPT

Hotel

Subj: TESTIMONY OF COLONEL (b)(3),(b)(6), USA, GIVEN ON 20 OCTOBER 2009, AT NORFOLK, VIRGINIA

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

Lieutenant Colonel
U.S. Army
Judge Advocate

12 NOV 2009
DATE