

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is PMG

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION Building 268, Joint Base San Antonio, Texas 78234	2. DATE <i>BRB</i> 6 Aug 14	3. TIME <i>BRB</i> 0810	4. FILE NO. AR 15-6 Investigation
5. NAME (Last, First, MI) Bergdahl, Bowe R.	8. ORGANIZATION OR ADDRESS U.S. Army North Joint Base San Antonio, Texas 78234		
6. SSN XXX-XX-5187	7. GRADE/STATUS E-5/RA		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army as an AR 15-6 Investigating Officer _____ and wanted to question me about the following offense(s) of which I am suspected/accused: Absent Without Leave, Desertion, Fraudulent Enlistment

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything. *BRB*
- Anything I say or do can be used as evidence against me in a criminal trial. *BRB*
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. *BRB*

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. *BRB*

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation, and make a statement without talking to a lawyer first and without having a lawyer present with me. *BRB*

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print) SSG Brittney A. Ramsey	<i>Brittney A. Ramsey</i>	<i>Bowe Bergdahl</i>
b. ORGANIZATION OR ADDRESS AND PHONE I Corps, Joint Base Lewis-McChord, WA 98433		4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR MG Kenneth R. Dahl
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR Investigating Officer, AR 15-6 Team

Section C. Non-waiver

- I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

Privacy Act Statement

- Authority:** Title 10, USC Section 301; Title 5, USC Section 2951.
- Principle Purpose:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
- Routine Uses:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

BRB 1

PERSONS PRESENT

2 MAJOR GENERAL KENNETH R. DAHL, INVESTIGATING OFFICER, [I/O];

3 MR. EUGENE FIDELL, CIVILIAN DEFENSE COUNSEL [CDC];

4 CAPTAIN ALFREDO FOSTER, DEFENSE COUNSEL [DC];

5 SERGEANT BOWE BERGDAHL, SUBJECT [SBJ];

6 STAFF SERGEANT BRITTANY RAMSEY, COURT REPORTER [CR].

7 I/O: Sergeant Bergdahl, what I'm going to do is--I'm going to
8 let you hold on to that [right's waiver form] and I'm going to walk
9 through this with you and, Gene, if you want to follow along that is
10 great as well.

11 CDC: Yes, that's great.

12 I/O: Sergeant Bergdahl, obviously I'm reading you your rights
13 warning certificate because I am the investigating officer conducting
14 an Army Regulation 15-6 Investigation. You are the subject of that
15 investigation. Your suspected offenses are absent without leave and
16 desertion. You will also see on the form fraudulent enlistment.

17 In my appointment orders, which I think you saw also, it
18 asked me to examine circumstances of your short enlistment in the
19 Coast Guard, discharge from the Coast Guard, subsequent enlistment in
20 the Army, and the appropriateness of that. So, frankly, in the
21 abundance of caution, we added that one in there as well.

22 CDC: Right.

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1 I/O: So you are the subject of the investigation. Those are the
2 suspected offenses. Normally, I'm the deputy commanding general at I
3 Corps at Joint Base Lewis-McChord, up in Washington State. Your part
4 of the country, the Pacific Northwest. But for the last 52 days, my
5 full-time job has been as the investigating officer. So, that is my
6 official position. I was appointed by Lieutenant General Grisoli.
7 He is the Director of the Army Staff, Headquarters, Department of the
8 Army in the Pentagon. He is the one who signed my appointment orders
9 and I think you had a chance to see those.

10 Before I ask you any questions, you must understand your
11 rights. If you look on the form there, you will see on the left-hand
12 side it says one, two, three, four there. I'm just going to go ahead
13 and read through there. I just covered the investigation. It's an
14 AR 15-6 and then the suspected three offenses. I will just read
15 along and ask you one-at-a-time to initial those. So, before I ask
16 you any questions you must understand your rights.

17 Number one, you do not have to answer my questions or say
18 anything.

19 Do you understand that?

20 SBJ: Yes.

21 I/O: If you would just initial number one.

22 [The subject did as directed.]

1 I/O: Number two, anything you say or do can be used as evidence
2 against you in a criminal trial.

3 Now do you understand that?

4 SBJ: Yes.

5 I/O: Okay. Go ahead.

6 [The subject initialed the form.]

7 I/O: I don't mean to insult your intelligence but it's better to
8 be thorough up front----

9 SBJ: Understood, sir.

10 I/O: Number three, you have the right to talk privately to a
11 lawyer before, during, and after questioning, and to have a lawyer
12 present with you during questioning. This lawyer can be a civilian
13 that you arrange for at no expense to the government or a military
14 lawyer detailed for you at no expense to you or both.

15 Do you understand that?

16 SBJ: Yes.

17 I/O: Go ahead and initial number three.

18 [The subject did as directed.]

19 I/O: Finally number four, if you are now willing to discuss the
20 offense under investigation--or offenses under investigation, with or
21 without a lawyer present, you have a right to stop answering
22 questions at any time or to speak privately with a lawyer before
23 answering further, even if you signed a waiver certificate.

1 Do you understand that?

2 SBJ: Yes, sir.

3 I/O: So go ahead and initial number four as well.

4 [The subject did as directed.]

5 I/O: And we will move down to section B where it says "waiver."

6 At this time are you willing to discuss the offense under
7 investigation and make a statement?

8 SBJ: Yes, sir.

9 I/O: So you will see right there it says, "I understand my
10 rights as stated above. I'm now willing to discuss the offense under
11 investigation" and, if you would, just go ahead and lineout--just put
12 a period after, "investigation" where it says there.

13 SBJ: Investigation here?

14 I/O: Yeah, just put a period there. Just go ahead and line out
15 the rest of that because that says--it doesn't apply. That is the
16 part where it says "and make a statement without talking to a lawyer
17 first." So, just go ahead and line that out and then initial at the
18 end that.

19 [The subject did as directed.]

20 SBJ: Okay.

21 I/O: And then just go ahead over to, "signature of interviewee"
22 in block three there. If you will sign that.

23 SBJ: Okay.

1 [The subject did as directed.]

2 I/O: Let me borrow the form and the pen and I will sign the
3 signature as investigator and I'm going to ask Sergeant Ramsey to
4 sign as the witness.

5 [Staff Sergeant Ramsey did as directed.]

6 I/O: That is the rights warning statement that everybody's been
7 asking you about for a long time.

8 Are you comfortable with all of that?

9 SBJ: Yes, sir.

10 I/O: Gene, comfortable?

11 CDC: That's great, and if at some point, if somebody could burn
12 a copy for our file.

13 I/O: Absolutely. One last thing, and this is not something that
14 has to be signed, but this has to do with--you saw also in my
15 appointment orders that I have to address line of duty which has to
16 do with your injuries and whether or not your injuries were incurred
17 during the line of duty or not in the line of duty. So I just want
18 to make sure that this is another statement to make sure, again, in
19 an abundance of caution. I want you to know what your rights are.

20 This is a warning that is required before requesting
21 statements regarding disease or injury. A Soldier--and this is
22 directly from the regulation, "A Soldier may not be required to make
23 a statement relating to the origin, incurrence, or aggravation of his

1 or her injury. Any involuntary statement against a Soldier's
2 interest made by the Soldier is invalid in accordance with 10 U.S.C.
3 1219.

4 Any Soldier prior to being asked to make any statement
5 relating to the origin, incurrence, or aggravation of any disease or
6 injury that the Soldier has suffered shall be advised of his or her
7 right that he or she need not make such a statement."

8 And that is what I am doing now. So, do you understand
9 that?

10 SBJ: Yes, sir.

11 I/O: "A statement voluntarily provided by the Soldier after such
12 advice may be considered. The Soldier's right not to make a
13 statement is violated if a person, in the course of the
14 investigation, obtains the Soldier's oral statements and reduces them
15 to writing, unless the above advice was given first," which is what
16 we just did.

17 Are you straight with all of that?

18 SBJ: Yeah.

19 I/O: Are those on?

20 CR: They are, sir.

21 I/O: Are you all set?

22 CR: I am all set.

1 I/O: Okay. We'll let you go next-door. Again, if something
2 happens, just bang on the wall or come knock on the door or something
3 and we will stop so you can fix the technical problems, all right?

4 CR: Yes, sir.

5 [SSG Ramsey left the interview room.]

6 I/O: Alright, we got that out of the way. Good.

7 What I would like to do, obviously, is to hear your story.
8 You know, 52 days into this and you both had a chance to take a look
9 at the 15-6 that was done back in June of 2009. You will recall
10 General Scaparrotti, at the time, was the two-star general in charge
11 of the 82nd Airborne Division. He appointed the investigating
12 officer, at the time, was Lieutenant Colonel Horton, he was the
13 Provost Marshal Officer. He was basically the senior MP in the 82nd
14 and then RC-East at the time. He appointed him as the investigating
15 officer. He did the best he could. I think he did a pretty good
16 job. He did as thorough of a job as he could have at the time,
17 particularly under the circumstances. We have the benefit of 20-20
18 hindsight, a much more sterile environment, a lot more patience, so
19 you will also recall--and I thought correctly, General--Colonel
20 Horton and General Scaparrotti both ended that 15-6 saying, "We
21 really can't draw any conclusions. We've collected a whole bunch of
22 information, but until we have an opportunity to talk to the

1 individual himself, then PFC Bergdahl, we've just got to stop this
2 here."

3 It's great that you're home. I have mentioned this to you
4 before. Welcome home. Everybody is glad that you're home. And now
5 there is an opportunity to hear your story. So, the investigation
6 continues, essentially. I have been asked a couple other things to
7 investigate as well. So, that's my job. My job is to pick up where
8 Colonel Horton left off, pickup were General Scaparrotti left it, and
9 to hear your story.

10 Let me just start by leaving it open ended like that and
11 ask you to relax, get comfortable. You have to be eager and anxious
12 to tell your story. I know you've been doing a lot of talking since
13 you have been home and this is one of the things you haven't been
14 talking about, at least not a lot. So here's an opportunity for you
15 and I will turn it over to you.

16 CDC: Relax.

17 I/O: Yes, absolutely.

18 CDC: You look tense. Relax.

19 I/O: Take as much time as you want. You can lean back and
20 relax.

21 SBJ: If I lean back, it hurts my back.

22 I/O: Oh, does it? Would you prefer to sit here?

23 SBJ: No, this is all right.

1 I/O: I am perfectly comfortable sitting in either place. So, if
2 you're more comfortable here, I'm serious.

3 SBJ: It's the backwards motion; it puts too much pressure on my
4 back. Forward is a little easier.

5 I/O: If you want to stand, you can stand. If you want to get up
6 and stretch, you can stretch. This is not intended to be a miserable
7 experience. It's not an interrogation as the professor mentioned in
8 the press yesterday. This is an informal investigation; it's a fact
9 finding mission. As I have been telling people for 52 days, as I
10 have been interviewing and talking to a whole bunch of people, as I
11 mentioned to you, I have talked to friends, I have talked to family,
12 I have talked to platoon mates. I begin by telling them, "Look, all
13 I am doing is collecting as much information as I possibly can and I
14 am sorting it out into piles. What's fact? What's rumor, and
15 speculation, and garbage? You know, and then what's the stuff in
16 between, which isn't necessarily fact, but there is enough people who
17 feel that way that there is a preponderance that comes together. So,
18 it's not fact and it's not fiction, but it's somewhere in the middle.
19 And obviously it's the fact that matters the most and what will help
20 me to make my findings and then my recommendations. So, obviously,
21 you have the greatest amount of information than any of us, than
22 anybody, certainly the most credible.

1 I also recognize and I have told this same thing to other
2 people I have interviewed; it's been five years, okay. I don't
3 expect you to have perfect memory. I can tell you that none of the
4 people I have spoken to have perfect memory. All of their statements
5 varied slightly from the original statement that they made five years
6 ago. What's important about that, as I suspect, someone's memory
7 five years ago is better than what their memory is today. I
8 certainly see it that way. And even though I collect a sworn
9 statement from them as well, it's the original statement that I think
10 has the greatest credibility. So, don't feel like this is about
11 catching you. We're not playing guess what's in my pocket. There's
12 nothing in my pocket but my pen. Gene is absolutely right; get
13 comfortable. And you're a good story teller. I have read some of
14 your stuff. You're a good story teller. So you're pretty good at
15 this. So get comfortable and share with us.

16 SBJ: I understand. Just a question: is there a specific point
17 where you want to start because it's rather--if you want the story,
18 it doesn't just start that day. It starts long before that just like
19 any----

20 I/O: Sure, does it start before you joined the Army or does it
21 start when you joined the Army?

22 SBJ: I'd say it probably started before I joined the Army.

23 I/O: Okay, I'm fine. You can go ahead and start there.

1 **Questions by the investigating officer:**

2 Q. Tell me as much as you need to tell me about before you
3 joined the Army that informs, you know, the story.

4 A. Just a very brief touch upon the way I was raised. I was
5 home schooled so I didn't--I wasn't raised in a very social
6 environment and my parents raised me in a very strict, very religious
7 setting. Obviously the Christian religion is a very ethical, moral
8 religion. My father, despite the fact that he was never in the
9 military, he was very--his mindset was very military. He raised me
10 knowing how to shoot weapons. I have probably been doing that since
11 I was two to three years old. So that has--the weapons and the very
12 strict and very ethical environment that I was raised in was the most
13 prominent theme throughout my life. However, it wasn't the best
14 house to be in.

15 So, what happened was--you mentioned the Coast Guard, yes.
16 Prior to the Coast Guard I had joined--I went to France to join the
17 French Foreign Legion. The reason for the French Foreign Legion
18 was--I'll be honest, it was an adventurous sounding idea. I have
19 always wanted to travel and I have always wanted to learn languages.
20 And I have always had that interest of expanding my experience and
21 understanding of the world. Unfortunately, I went all the way to
22 Paris. I went to the fort and I tried to check-in. They did a
23 physical on me and they told me because of my eyes they wouldn't take

1 me, which was honestly, kind of, a little bit of relief because by
2 the time I got over there it was way overwhelming. I was there. I
3 didn't speak any French or anything like that. I was relieved.
4 Honestly, I was relieved.

5 Q. You gave it a try but--yes.

6 A. Yes, I gave it a try.

7 Q. You get credit for giving it a try. Sergeant Bergdahl, was
8 this before or after the Coast Guard?

9 A. It should have been before, 2005. Forgive me if I'm--dates
10 and times have always been a weak point.

11 Q. So it was 2005, before the Coast Guard.

12 A. I went back home. And I have always enjoyed the idea of
13 traveling, so I did a little traveling. I have always wanted to make
14 a difference. I am not the type of person that is going to get a job
15 because it has a good paycheck. I'm not the type of person that is
16 going to get a job because it looks prestigious. I want a job where
17 I can see my effort and see that I am making a difference. So
18 wandering around, yes, that is a lot of fun but the reason why I was
19 wandering around was because I was looking for what I was going to
20 do. Because of my education I didn't exactly have the same amount of
21 options that everyone else knew about. I was very ignorant in that
22 sense. [The information I lacked,] it was what the world offered,
23 and how to get it, and how to start in that direction. Growing up the

1 way I grew up, I also lacked the understanding of how to move through
2 society. I am more comfortable in the mountains. I grew up in the
3 mountains. You know, wandering around following cats, and dogs, and
4 horses; that is what I grew up doing. That was my main experience.
5 So when I got out in the world and I started trying to get jobs in
6 cities, it was a little overwhelming. So, finally, I decided that I
7 loved the ocean and the Coast Guard is a very--in my mind, it has a
8 very extremely prestigious, honorable mission on American soil. It's
9 home defense and every day they are out there saving lives.

10 Q. I agree with you.

11 A. So I wanted to--that was what I wanted to do. So, I went.
12 I joined. At this time I wasn't talking to my parents. I was by
13 myself, basically. I had a few friends but I'm not the one who likes
14 to burden my friends with over-necessary drama or anything like that.
15 Plus, being raised as a Soldier type environment--or in a Soldier
16 type environment, the idea is you pull your own weight. So I decided
17 that I wanted to join the Coast Guard, so I joined the Coast Guard.

18 One thing that has always got me is it's always different--
19 you can plan things out, and you can think about things, but actually
20 executing and getting into it is completely different. You can never
21 fully simulate what the actual experience is going to be like. I
22 went through the Coast Guard MEPS and I got to Coast Guard basic.
23 And I understood their mission, but it didn't hit home until I got

1 there and I was listening to what the drill sergeants were saying,
2 and I was seeing the pictures, and I was hearing the actual stories,
3 and I was literally there. That was when it struck on exactly how
4 intense and important their mission was.

5 I didn't have the typical support that someone would have;
6 the friend support, the family support. I never got--when I was in
7 basic I never got letters, which when you're in that kind of
8 environment--and Coast Guard Boot Camp is--they run things
9 traditionally in the sense that the drill sergeants get in your face,
10 they yell, they scream, they don't swear at you anymore, but they can
11 still portray that amount of aggression. They can still get that
12 across. They will stress you out; fire drills at night. They are
13 continuously pressuring you, so it's a very intense environment for a
14 reason. And, basically, the personal issues of what I was dealing
15 with--despite my travels, I always travel in a very low profile way
16 and minimal interaction with people, because that's how I was raised
17 as a child. And what I learned as a kid was, you learn more by
18 listening than by interacting with people or by being the one who
19 talks. So because of what my childhood was, I learned to stand on
20 the sidelines and watch and listen to what was going on, and then
21 think about it. When I got into the Coast Guard that put me smack in
22 view of the whole situation. They weren't off to the side; they were
23 right in your face. You were right there in the focal point and

1 every action you were doing was pressured and it was watched. What
2 ended up happening was, I ended up having a panic attack, about three
3 weeks into it. Again, I don't have a good recollection of what
4 happened. I just remember that it came about one evening when
5 everyone was going down for roll call. What happened was, they got
6 me to the hospital. And, in those moments, I think it was a
7 psychiatrist--there was a couple people that were there. They came
8 in and asked me some questions. And I believe I said something
9 about--I was trying to say, basically, "I can't save these people."
10 Because the pressure was, honestly, all the way up until that point,
11 the information I was getting from my family, especially my dad, was
12 that I can't succeed in anything, that I am a failure. So, when I
13 got to--that never played a part until I got to that point in my life
14 and I was looking around and I had seen what I was supposed to do as
15 a team member. These people are in this ocean. We have to save
16 them. My team members are next to me. They are relying on me to
17 keep [sic-have] their back. So, the pressure that was in that Coast
18 Guard basic was me and what I know of me as a failure. And suddenly
19 I am responsible for someone else's life. So that added to the
20 pressure and that's what kind of brought about the panic attack and
21 that's when I did my best. I mean, I think I did my best to convey
22 that to whoever was talking to me. What they ended up doing was they
23 ended up--I think he was a psychiatrist because he ended up having me

1 sign something. After that, that [panic attack] is what dropped me
2 from--I got an uncharacterized discharge from the Coast Guard.

3 Q. Okay.

4 A. Now getting out of that, hindsight, I was relieved because
5 looking back at what had happened to me, I wasn't ready for that. So
6 it was probably a good thing. However, that never sat well with me.
7 I never liked that. The fact that I had failed at that, never
8 settled. It never left my mind. However, I wasn't going to go back
9 to that yet because I needed, obviously, from what I saw there, was I
10 needed to build myself on more experience and a better understanding
11 of such social interaction in that type of environment. After that,
12 I went back to--I think better when I move. I think better when I
13 exercise or when I work. I grew up [doing] hard labor. I think
14 better when I'm sweeping than I do sitting there watching--doing
15 nothing. I moved around. I traveled around. I went--spent a lot of
16 time kind of focusing on dance. One of the reasons why I was
17 focusing on dancing was because that put me in an environment that
18 forced me to actually interact on a social level that I was never
19 used to. Because growing up in the household that I grew up in,
20 girls didn't exist to me until I turned 17. Or, yeah, 16 or 17.
21 They never existed to me until I got to that point. Yeah, basically,
22 that kind of a relationship. So, I understood that I needed to work
23 on that.

1 A lot of guidance that I got from the eastern philosophies
2 of Samurai, like *Aikido Bushido*. I got a lot of guidance from Zazen,
3 which is a mental exercise. It's meditation. It's not religious.
4 It's literally a mental exercise that basically teaches you how to
5 control your mind or how to understand how it moves so that you can
6 understand how to work it. I got a lot of guidance from that. Bruce
7 Lee is a very prominent figure in my mind when it comes to like--a
8 role model I guess.

9 Q. He is buried up in a cemetery in Seattle, by the way.

10 A. Is he?

11 Q. He is. I went to--I was a guest speaker at the Japanese-
12 American Veteran's Day. Second generation Japanese Americans, and I
13 went to this fabulous cemetery in Seattle and I discovered Bruce Lee
14 was buried there.

15 A. Northwest.

16 Q. Yeah, it is a different place.

17 So, you went to dancing because, really, you were trying to
18 sort of stretch yourself. You were putting yourself in more of a
19 social setting.

20 A. Exactly.

21 Q. You realized what some of your limitations were and were
22 looking for ways to grow.

1 A. Yes. And what I learned from eastern philosophy was, if
2 you're afraid of something, face it. If there is something you're
3 not good at then that is what you need to work on. The samurai
4 Miyamoto Musashi, he was, I believe, one of Japan's most famous
5 samurai because he won more bouts--or more duels than anyone else.
6 He was also known for being an artist. And the reason for this was
7 because, he said that every samurai that practiced the way of the
8 sword also needed to practice the way of the artist, the way of
9 poetry, the way of anything because what you learn in one, will
10 benefit you in the other. You will see it in his drawings, his
11 brushstrokes are very much like a swordsmen's stroke. And literally,
12 what he learned was how to articulate the paint brush, was also--he
13 installed into how he articulated the tip of his sword or the edge of
14 his sword. I understood that if you had a weak point somewhere that
15 you needed to face it and you needed to focus on it. And I also
16 understood that expanding into in many areas as possible, whether
17 it's philosophy, or whether it is mathematics, science, whether it is
18 arts, or religion, or whatever. Any subject that you go through is
19 going to benefit you by just expanding your horizons or expanding
20 your understanding of the overall picture because everybody--I would
21 be a small detail but I live in the greater picture or machine you
22 could say; a small part inside of a machine. So, you know, just
23 because you are a small part you still need to understand how the

1 whole thing works. I knew I lacked that understanding from my
2 experience in the Coast Guard. It was a very good example of I
3 lacked that understanding and that ability.

4 Q. Okay.

5 A. So from the years of the Coast Guard up until the point
6 that I joined the Army was basically me trying to come up with the
7 way of dealing with my lacking of experience and knowledge in these
8 areas. A lot of time thinking. Philosophy was something that I
9 naturally took to so I have a tendency of, a lot of people say
10 over-thinking things, which is true. I have a very visual mind so I
11 kind of use it as a way of running simulations. I have a very good
12 imagination from the way I grew up. So, finally, enough time had
13 passed where I got uncomfortable again with not doing something that
14 was making a difference, as well as it continued to stay in my mind
15 that I failed Coast Guard boot camp. It was basically the day I left
16 the Coast Guard, Cape May, the day I left and they shipped me out, a
17 thought occurred to me and it stayed in my mind whenever I thought
18 about the Coast Guard. And that thought was, as I was leaving, I
19 wanted to fix that. One of the ideas I came up with in my mind, like
20 a simulated idea was, one, the Army being stressed for needing people
21 would--because I heard somebody in basic who was also getting
22 discharged, that an uncharacterized discharge, you could still
23 reenlist. That was one of the things that the Coast Guard people

1 said, "You got discharged from basic. We did not say you cannot come
2 back. You can come back with an uncharacterized discharge." So when
3 I was leaving [Coast Guard] to basic, I was like--because the Army is
4 more of what I'm used to; the military structure. And it has to do
5 with weapons. Whereas the Coast Guard, it has its elements, but the
6 majority of when you're a Seaman, I mean, when you're first starting
7 out, you're on the Ocean dealing with ships, as well as their mission
8 is completely different than a military mission. The Army [is a
9 military mission] was more--it wasn't like [the Coast Guard's
10 mission]--I could have gone to the Marines but the Marines were, I
11 felt, that was more of an extreme commitment. The Marines, the way
12 they train, the way they think, and the way they move is on a
13 completely different level. That's what they take pride in. The
14 Army was basically American citizens doing the duty of a military--of
15 the military mission. The reason why I didn't go into the Marines,
16 everyone told me I should have gone into the Marines, but I knew that
17 that was like--one, it was a much--the time commitment to the Marines
18 felt to me, would have been a lot longer. So the idea was, the idea
19 that I thought of was, I could go into the Army, do the years--what I
20 ended up doing was a three-year contract, three years of active duty.
21 Prove that I [can do it]--get the experience and prove that just
22 because I failed here[in the Coast Guard], I can make it here in
23 military service]. Basically, going into the Army, I would

1 have something to prove. I would have a reason to drive myself
2 through it and make myself succeed. I saw what happened in basic in
3 the Coast Guard and that didn't sit well with me, so driving through
4 that, there was that motivation [to succeed in the Army].

5 Q. Sure.

6 A. So, that thought had occurred to me and it basically kind
7 of stewed, for lack of a better description, until--for the years,
8 until I got to the point where I was like, okay. I was 22 at the
9 time. Later 22, yeah. It was the spring of 2009. That was when it
10 started to get to me. As I said, I always think better moving so
11 during that springtime, I was on my motorcycle----

12 Q. 2009 or 2008?

13 CDC: 2008.

14 A. Sorry, 2008. Like I said, dates are a terrible thing.

15 So, 2008, in that spring, I was riding my motorcycle around
16 and I rode my motorcycle to an Army recruiter. I went in there and I
17 asked him--I wanted to go for Army scouts. That was my--what is what
18 I wanted to do is just because their mission was more what I wanted.
19 It was more oriented--it was kind of more oriented in my thinking.

20 Q. Sure. I could see that.

21 A. Yeah.

22 Q. Yeah.

23 A. Unfortunately [for me at the time, because the recruiter
24 told me there were no slots available due to everybody wanting to be

1 a scout], it is also more of a prestigious thing and the recruiter's,
2 and I knew this at the time, the recruiter's main goal is to get them into
3 the infantry because that is where they needed the manpower. All the other
4 ones, like the Ranger schools, and the scouts, and all those guys were for
5 the really, you know, those were the prestigious ones that--it is what it is.
6 So, I kind of--being young, not being patient, I got there, he said, "Sorry,
7 we--he got me through the first stages of paperwork and then when he got to
8 MEPS where you are supposed to pick what you are going--your MOS is going to
9 be and like your years you are going to serve. When he got there he was
10 like, "Oh, we don't have any Army scouts until like next year. We don't
11 have any slots open. But, we have only three slots left in the infantry and
12 those are going to go really fast". I was like, "All right, just get me
13 through it. Get me to basic because I don't like wasting time." So they did
14 that, they did three years, and they got me into basic. Before, as I was
15 prepping, as I was waiting for my ship date to basic, I wanted to do a
16 little [research into what I should be expecting and looking for]--I went to
17 some friends I knew and asked them, because they had been prior military.
18 They weren't friends-friends. They were just acquaintances that I knew that
19 Were prior military, but they were people that I would respect their
20 opinion and respect how they lived their lives.

21 Q. You were comfortable asking and valued their opinion?

22 A. Yeah.

23 Q. Okay.

1 A. I asked them what I needed to look for as far as
2 leadership, as far as how I should perceive a good unit, because I
3 have heard enough stories about what happens. In any situation you
4 get into a bad group or you get into a good group, it's going to make
5 a difference. So I asked them, and one of the pieces of advice that
6 they gave me was, "You know a good leader because they are actually
7 leaders. A leader stands in front of you, not above you." The
8 concept of leadership, and it goes back into historical times, the
9 reason why they were called "leaders" was because they were the ones
10 that lead you into battle. The reason why leaders became leaders was
11 because all of the men around them recognized that they were leaders
12 and that was what brought them together. What they told me was the
13 military, the traditional military idea is a spear point or a wedge
14 and the leader is up front. They told me, unfortunately, what you
15 are going to see in the modern day Army is a pyramid. Not a spear
16 point that is directed towards battles. It is going to be pyramid.
17 You got the guy on top and then you are going to be a private and you
18 are going to be on the bottom. They said that you are going to have
19 to deal with a lot of bullshit, but don't worry about--don't worry
20 too much about what's above you, worry about what's immediately above
21 you as far as your platoon sergeant, as far as your team leaders, as
22 far as your men around you. That was the focus. They said,
23 "Remember, a real leader is one who is going to understand that you

1 give respect to earn respect and respect is given to those who have
2 earned it." What else did he say? The idea was basically, "You're
3 going into a battlefield. Just like any team sport, you are going to
4 have disagreements with some people, but you are on a team." So, you
5 do--you know, that is your job, the success of the team. However,
6 they said, "The difference between just a regular team and a military
7 unit is the fact that the orders that you are receiving are literally
8 gambling your life in a battlefield." So they said, "What you need
9 to watch for is exactly how clear minded and how aware and what the
10 priorities are of the people who are giving you those orders." It
11 was--he said the reason why there is an open door policy was because
12 the checks and balances to that system is, understanding that the
13 Soldiers who are putting their lives on the line need to have that
14 option.

15 Q. Sure.

16 A. They need to be able to bring up issues to their
17 commanders. So that what he and others I talked to, basically, in so
18 many words, basically said, "You are there to do a job for the team,
19 for the success of the team. However, your duty as part of that team
20 member is to make sure that the well-being of your teammates is
21 foremost." It's very interesting and sad, but if you look at the
22 history of militaries you are going to find that life was extremely
23 cheap, in the sense that the Soldiers. I mean, literally thrown at

1 enemies. The cost of life was huge. You saw that in World War II
2 and you saw that in World War I with the trench warfare. It was
3 literally leaders looking at these game boards and saying, "Let's put
4 a piece here." However, that piece was a platoon. And they knew
5 there was going to be casualties but that was just part of the game.
6 Life back then was very cheap.

7 Nowadays with modern warfare, it's interesting. You want
8 to say that the majority of America's finances to the military is for
9 safety equipment. MRAPS are extremely expensive. The body armor is
10 extremely expensive.

11 Q. Right.

12 A. And it also fatigues the Soldiers a lot; however, it is
13 there for the reason of safety. So you are sacrificing the agility,
14 speed, and endurance for what is--has been perceived as the
15 difference between putting a Soldier with no body armor and the
16 difference between putting a Soldier with body armor. They have seen
17 over time what the difference is going to be, so minimizing [loss of] life.

18 Q. Force protection and the difference in the value of life.

19 A. Yeah.

20 Q. We are willing to accept some of the negative side of all
21 this protection because we value a life more than we did before. We
22 used to just throw folks in the trenches.

1 A. Exactly. Exactly. So there's more of a focus on the
2 preservation of Soldier's lives as individuals, the privates. Let's
3 preserve that and focus on that instead of just throwing them at
4 whatever. Instead of just focusing on the end result, let's win this
5 at whatever cost it's going to take.

6 Q. Right.

7 A. So that was what I went into basic training with; this
8 mindset that, one, yes, I was there for a team, but as a member of a
9 team and as an American citizen, it was my duty to make sure that--
10 because I am--unfortunately the Army has, I don't want to say a
11 "reputation," but it is understand that there are a lot of
12 undesirable agendas, personal agendas, that find their way into
13 certain areas of the levels of command. So that was something you
14 had to be careful of. That was one of the things that they told you.
15 All it takes is a sergeant or an officer who has a personal agenda of
16 their own, and they are just that kind of a person, and it will
17 basically come down on everyone else. The shit will, as they say in
18 the military, "The shit falls downhill."

19 So I got into basic and I was extremely lucky to get what I
20 would consider--up until recently, my senior drill sergeant was
21 someone I would consider the man who deserved that patch on his chest
22 because that's what he was. He wasn't a sergeant first class because
23 of that patch on his chest. He was a sergeant first class because

1 that is what his character was. I didn't see it in basic, but I saw it
2 in my unit and that is the fact that this [the patch] is all that was on the
3 uniform. The person was hiding behind it. I saw that too often, especially
4 at NTC. I saw it a lot in pogues [person other than grunt, a Soldier not
5 serving in a combat arms mission MOS] unit. Sorry, in other MOSs.

6 Q. Yeah. Sure.

7 A. It was all about this, but the person behind it was
8 nothing. It was about, "I spent years, or I knew somebody above."
9 Or whatever, brown-nosers, whatever it was that got them there. It
10 was--that was all that was there and they were hiding behind that.
11 They didn't deserve [the rank]. If you look at that you have to do what
12 you were supposed to do but if you look at the person behind it, they
13 have--they don't have the experience. They don't have that respect.
14 They don't have that ability. I was lucky when I got to basic
15 training because that senior drill sergeant was what an NCO should
16 be. If you look at the NCO creed that's what he was, in fact, I
17 believe that's what he had us do. He didn't just have us look at the
18 Soldier's Creed. He said, "Here is the NCO Creed. Here is the Drill
19 Sergeant Creed. You need to look at these things because this is
20 what I am going to do." My basic training wasn't Hollywood. If you
21 look at Hollywood and you see a drill sergeant yelling and screaming,
22 and whatever. And it wasn't like Coast Guard boot camp. He did some
23 yelling and he did some things [like the Coast Guard], but he was the type

1 of person that would say, "Okay, stop what you are doing," and he would say,
2 "Let's fix this." He put pressure on us by saying that you have to do this
3 and you have to do this and you have to get it done in this amount of
4 time and get down there in this amount of time. And we did that. If
5 we didn't do that then there would be some--there would be--
6 obviously, he would call it to our attention by doing push-ups or
7 whatever, doing the basic training thing. It wasn't yelling and
8 screaming at us. It was talking us through and teaching us.

9 Q. Right. There was a purpose to it. Do you remember his
10 name?

11 A. Yes.

12 Q. Do you really?

13 A. Yes, it was Sergeant First Class Olivera.

14 Q. I bet you remember his face, too.

15 A. Yeah.

16 Q. A good experience? A good leader, right?

17 A. It was a great experience.

18 Q. This was someone you really respected. The type of leader
19 that your buddies before were telling you that it was the type of
20 leader--that's a responsible leader. That's someone who's leading in
21 the leadership sense that you described earlier.

22 A. Yeah. Exactly. My time in basic, if you would have asked
23 me in basic, "Would you follow that man onto the battlefield?" I

1 would have followed him anywhere because I knew that he was that
2 person that you could follow and you could trust. He was that person
3 that you wanted to support; you wanted to be behind; you wanted to
4 take his orders because that was what he was.

5 Q. Sure.

6 A. Unfortunately, basic kind of turned into a dream. I got to
7 my first unit and the first thing they taught me there was you need
8 to learn how to acquire things. This was handed down to me by
9 Soldier's and my immediate sergeants. Basically, "You need to learn
10 how to steal from other Soldiers because they are going to steal from
11 you and you need to lock everything up because--" Drill Sergeant
12 Olivera taught us that in basic, "Lock everything up because there
13 are a lot of thieves in the Army." I thought it was--the fact that
14 when I first got to my basic--or when I first got to my unit, that
15 was the first thing that they told me. "You need to learn how to
16 steal because they are going to steal from you."

17 Q. This wasn't AIT? This was up in Alaska?

18 A. Yeah, this was up in Alaska.

19 Q. The 1st of the 501st?

20 A. Yeah, the 1st of the 501st, that I was going to deploy
21 with. When they told me that, the first thing that came into my mind
22 was, "How am I supposed to go onto a battlefield if I can't even
23 trust these guys here?" Now, I understood that they were just giving

1 me general advice. They weren't saying that, "We are going to steal
2 from you." They were just simply stating that that was the reality
3 of the situation. I literally got to my unit, if I can remember
4 correctly, literally, a few weeks, possibly even less, before they
5 deployed to NTC to do training because they were deploying to
6 Afghanistan within the months, I was literally doing in-processing
7 and then doing NTC. When I got to NTC, my experience there was
8 everywhere around me I heard, "Stupid Joe. Dumb Joe." I can go into
9 a lot of other bad language, but all of this was simply because of
10 their rank. Not because they were being bad, not because they were
11 doing something wrong, simply because of their rank. That was a
12 continuous theme. I continuously saw that in NTC. I continuously
13 saw sergeants--I mean, the whole point of NTC is to get us ready to
14 go to a battlefield. And what did we do? We idled in a HMMWV for
15 twelve hours straight, sitting there doing nothing. We went on to
16 TCPs that were put up on the main post road, ordered by I believe the
17 batt commander, but the sergeant who is overseeing our training was
18 telling us, "You're not supposed to even have a TCP on the main post.
19 That's against the main post regulations or whatever." So we are
20 sitting there on this TCP that everybody, all the civilians coming
21 into work are having to drive around because we aren't supposed to be
22 there. We were sitting there for hours. And I was just like, "This
23 is training?" We did a raid on a town. We did one walk-through of a

1 town and that was it. It was like close quarters combat, we were in
2 Iraq. In Afghanistan, maybe not so much because it was not as
3 populated, but it was still there. Of course, close quarter combat
4 is one of our jobs. What training did we get? We got a few hours in
5 basic training. We get to NTC and we get one walkthrough of a
6 village. And the next day we do one patrol through the village. The
7 walkthrough was an assault, supposedly. And then our patrol was
8 supposed to be a patrol of a town and I believe a COB. That was it.
9 Literally, maybe less than 20 minutes for our walkthrough/assault,
10 and then maybe less than 45 minutes for our patrol. What I saw was--
11 that was like, okay, that is beyond a private first class as far as
12 understanding why. Maybe there's a logistic problems or something.
13 I don't know. Then what I saw was, the sergeants that were around
14 me, they were playing games. They were playing video games. One
15 sergeant had his laptop. We were ordered, the privates were ordered
16 to put our cell phones in our bags because we weren't supposed to
17 have them at NTC and we are supposed to focus on our training. Then
18 you have these sergeants with their laptops and you see them playing
19 World of War Craft or something like that. You have the other
20 sergeants who have their cell phones out and one of them, leaving
21 nameless, had a smart phone. And you see him in the tents playing
22 video games on his cell phone. Privates are supposed to stand-by
23 because they are supposed to be training. Usually what it was, was

1 being tasked out to clean up. It was fantastic. I came down to NTC
2 to train as a Soldier and I spent the majority of my time cleaning
3 up; picking-up cigarette butts and trash, or sorting through brass.

4 Now, when I got to NTC, they designated me as the SAW-
5 gunner. My one-hundred rounds in basic training on a tripod does not
6 prepare me for understanding the sight system and firing abilities of
7 the SAW. So, at NTC they say, "You are going to be the SAW-gunner.
8 Here is the SAW." I don't know how to use this weapon. You want to
9 deploy me to a war-zone, you need to train me. "Oh, don't worry, you
10 are going to go through courses at NTC." "All right, fine." So I
11 carried that SAW. They take me to a firing range. I sight in my SAW
12 and then I am supposed to practice. For some reason, there's some
13 kind of a FRAGO and I fire maybe 50 rounds at an 800 meter target,
14 which, thankfully [referring to what I learned from upbringing]--nobody told
15 me how to do it [referring to my training at NTC], but thankfully, I know
16 enough from my upbringing to know--because it had tracers. I knew enough
17 to be able to actually put bullets down over the target. It took me about
18 10 minutes. I was doing that for 10 minutes and then suddenly they call the
19 SAWs off and say, "Sorry, you guys can't do this today. There's something
20 wrong." "Okay, fine. Is it going to be rescheduled?" What ended up
21 happening was, there was a day where we were taken to a live firing range.
22 There were no targets anywhere-- everybody said, "Here's your ammunition.
23 Go up onto the berms. Go up onto the towers, and face out to the range."

1 We all get out there and I am looking for targets. I'm looking for where I
2 can practice, for where I can see, because at that point I still don't know
3 how that thing is going to fire at a full rate of fire or cyclic fire.
4 So I am looking for where the targets are that I can line up on so
5 that I can understand what I am doing. Next thing I know, they get
6 an order. The sergeant that was up in the tower with us gets the
7 order to start firing. I go, "What are we firing at?" He said,
8 "Just start firing." I asked, "What do you mean 'just start
9 firing?'" He is like, "Just burn through your ammunition." So
10 that's what I was supposed to do. Everybody goes live and basically
11 what we had was literally, it had to have been, a half-hour to 45
12 minutes of guys burning up ammunition. There was no structure to
13 anything. It was just supposed to simulate an attack. Well
14 simulating an attack means when there is someone attacking you, you
15 need to be putting down direct fire. Literally, all we were supposed
16 to be doing was spraying bushes with bullets. I made the discernment
17 to pick a bush and to try and fire at it. They wasted the ammunition
18 on the day fire. The night fire came and we wasted fire on the night
19 fire. We didn't even--we had some targets out there but there was no
20 others near our tracers. We had maybe--the SAWs had maybe 10 minutes
21 of firing ammunition. Everybody else was--they cycled the M2s. They
22 cycled everything, but the SAWs literally had 10 minutes of firing
23 out into the darkness. So a month of training and a month of seeing

1 how the sergeants, how my platoon's immediate command was behaving.
2 I was literally looking at platoon lieutenants--there was one moment
3 where, in our fake patrol, when another platoon apprehended hostiles
4 or whatever it was and they needed to take them in for questioning.
5 One of the privates doesn't know what he was supposed to do, because
6 he was supposed to be role playing, but at the same time he was not.
7 So, something happened. One of the hostages tried to walk away but
8 the private brought him back and the lieutenant was like, "I want a
9 bag [on his head] and I want his face duct taped and I want him handcuffed."
10 Because what you are supposed to do in role playing is hand them the
11 handcuffs and he understands that he is bound. So, that is what they
12 had done. The lieutenant was literally demanding that he be bagged,
13 duct taped, and bound and the sergeant who was overseeing the
14 training was like, "He understands what you mean--what happens when
15 he is handed the bindings." And the lieutenant was throwing a fit
16 over the fact that he is the lieutenant and he is giving an order.
17 So then he gets all pissy about that and basically the whole patrol
18 kind of falls apart after that. We all got back to the COB. I am
19 standing there waiting, "What do I do?" My squad sergeant says, "Go
20 back into the tent. We are done for now." I turned around and
21 started going back to the tent. The lieutenant is standing there.
22 He goes, "You need to stand by for accountability." I said, "Sir, I
23 have just been told to go back." He was like, "How about you do as

1 you are told? How about that?" I was like, "I am doing what I am
2 told." But, there was just this--he didn't stop me and say, "Hey, we
3 need to get your accountability. He stopped me and literally was
4 whining about the fact that, "You needed to stand by and we get
5 accountability, and you need to do what you are told, because I am in
6 charge here." And it was his attitude that just was completely not
7 befitting what a lieutenant should be conducting himself in that_[situation]. |

8 Q. Was that your platoon leader or someone else?

9 A. That was, I believe, third platoon's lieutenant.

10 Q. Okay.

11 A. During the entire NTC, I got a taste of what was going on.
12 I was going, "All right, things are very lax." But, you know, it was
13 moving along in a military manner either way. I was a private first
14 class. I am not supposed to be saying anything. I'm overwhelmed as
15 it is trying to keep up with things because I just got there and there
16 are other guys there who had been through Iraq. So, I am trying to
17 keep up. I am just trying to pull my weight. I am keeping my head
18 down. I am just letting things fly as it goes, because what they
19 do--what the platoon sergeant does, what the lieutenant does, what
20 the squad sergeant does, that's their sector, not mine. My sector
21 was my SAW, my equipment, my thermal, my belongings, my sector of
22 fire, and my duty in whatever position of the squad I was in. That

1 was what I was focused on. It was NTC. I was--it was my first time,
2 so it was just--but everything I saw stayed in the back of my mind.

3 Q. It was all pretty disappointing?

4 A. It was.

5 Q. Was there any bright spot? Was there any Sergeant First
6 Class Olivera moment or person? A bit of training or anything?

7 A. No.

8 Q. No?

9 A. No, there was nothing.

10 Q. Okay.

11 A. It was what it was. We get back to Alaska, and
12 unfortunately, because of the conditions of the barracks, what I
13 heard was that the barracks were overfilled. I don't know if that
14 was true or not. The stupid thing was, they had moved me over from
15 one barracks--when I first got there they put me in one barracks and
16 I had, it was like the dormitory barracks where there were two rooms
17 and a common area. They put me in that room and I was in my own room
18 and there was nobody else there. When they assigned me to the
19 1-501st, they moved me to those barracks, but they told me it was
20 overcrowded. So what they did was, they put me in a room that
21 literally should have had one, possibly two Soldiers in there, and
22 they put three Soldiers in there. One of the guys made a habit of,
23 one, very rarely washing his clothes and, two, maybe once a week or

1 once every other week taking a shower. Now, after NTC goes, block
2 leave comes. I end up cutting myself----

3 Q. Do you want to tell me who that was or do you want me to
4 guess?

5 A. I can tell you----

6 Q. I bet he was from Texas.

7 A. No, he wasn't as bad as the other guy that was there. It
8 was Private Hole. He is a really hairy guy.

9 Q. Yeah, okay. In that room, in the 1-501st, it was you,
10 Hole, and Cody Full?

11 A. Yes.

12 Q. Did you have bunk beds and a couple wall lockers?

13 A. Yup, Cody Full had a single bed and I was in a bunk bed with
14 Hole, Stephen Hole. He is a great guy. I had no problem with him.
15 Everyone in the platoon had a problem with Cody Full. You can ask
16 them their own personal opinion but he is what he is. I had no
17 problem with him. I'm the type of person who simply understands,
18 from Asian philosophy, that you basically--it is what it is.

19 Q. You roll with it.

20 A. Yeah, roll with it. Like they say, in a typhoon, a tree
21 can get uprooted because it is so rigid. But, in a typhoon, grass
22 that can just simply lie over, will survive. In that situation, it
23 was like, this is my team, just let it go, whatever. I am the quiet

1 type and I have learned that being the quiet type leaves very little
2 abrasion. There is very little confrontation. If you're the quiet
3 type there is no reason for any confrontation or any disagreements to
4 come about. That's what I've learned from--as a kid. It's a very
5 neutral position. I had no problem. I liked Steven Hole. He was a
6 funny guy and you could depend upon him. You could tell him to do
7 something. He wasn't always going to the gym like me and Sergeant
8 Sauer. We were the two guys that wanted to go Special Forces so we
9 were always going to the gym. He wasn't like that but you knew that
10 if you told him to do something, you knew that he knew what he was
11 doing and he would do it. I had no problem with him. Unfortunately,
12 his hygiene habits and because of the barracks conditions, during the
13 block leave, I ended up getting a staph infection in my hand from a
14 cut that I had gotten from the bunk beds. So that puts staph
15 infection in my body.

16 When my unit deployed to Afghanistan, I couldn't deploy
17 with them because the day before I had to check into the emergency
18 room, for the staph infection to heal, the surgeons there had to
19 literally cut out the wound. The open hole was about that big
20 [holding up hand and joining a finger to his thumb to depict a circle
21 approximately 1.5 inches in diameter], but the actual hole was
22 probably about that big in the side of my heel. The surgeon told me
23 that, "If you waited a couple more days, the infection would have

1 been into your joints and ligaments. We most likely would have had
2 to amputate the leg." That's what they told me. So I deployed----

3 Q. Serious infection.

4 A. Yeah.

5 Q. Well, before you--we'll come back to that. But let me just
6 ask you about the block leave period because it goes back to what you
7 were saying earlier about, and you made the comment earlier, growing
8 up, it wasn't the best house to be in.

9 A. Yeah.

10 Q. Okay. So everybody's going home on block leave. What did
11 you do? How did you spend your block leave time?

12 A. Everybody took, I think, a month of block leave. I didn't
13 take the full month. I stayed behind and I only took about 10 days
14 of leave.

15 Q. Okay.

16 A. What I did was--I could have gone to see Kim in Portland.
17 Kim moved to Portland, Oregon. But what had happened was, my
18 graduation at basic training, my parents came to see me. But I had
19 scheduled my plane ticket to leave that day to go back to Idaho.
20 They had stayed behind. So I basically, I went from basic back to
21 Idaho with Kim, helped them move out to Portland. I spent my couple
22 weeks after basic with Kim. And then I went up to Alaska.

1 Now, my parents are what they are. My childhood is what it
2 is. But I am their son. And, you know, it is a responsibility and
3 it is--something that I feel that I owed them was to see them. I'm
4 about to ship out to war. And irregardless [sic-regardless] of what
5 had happened in my childhood, you know, they still show that they
6 care about me. And I saw that at basic training at the graduation.
7 I did see that.

8 So block leave came. I took 10 days to go back to the
9 valley, Wood River Valley. I didn't stay at my house. I didn't stay
10 at my family's house. I stayed at a friend's house, Sherry Horton
11 [phonetic]. I stayed at her house. And then I borrowed one of--my
12 dad's blue Toyota truck and so that would allowed me to go out to the
13 house and visit during the day, and then go back to Sherry's. And I
14 was also--I broke up my time seeing my family, seeing my friends.
15 And so that--I spent the next--well, here's the kicker. The cut I
16 got from the barracks healed up. And the MRSA infection hadn't
17 actually taken effect. It wasn't until I think the third or fourth
18 day into my leave that my--one, I almost blacked out. My hand
19 swelled up to this huge bump because the MRSA suddenly decided to
20 attack my system. And so the remainder of my leave, I think after
21 the fourth day. I think it was the fourth or fifth day. The
22 remainder of my leave, every 12 hours I had to go into the emergency

1 room to get an IV of Vancomycin. And after that I was just out of
2 it.

3 Q. This was in Idaho?

4 A. This was in Idaho. So that was how I spent my leave right
5 before I went back and right before I deployed. So the whole point
6 of that was to give my family a chance to see me one more time
7 because I felt that I kind of--you know, because I spent my time with
8 Kim then. I kind of felt that before I deployed to a war zone, that
9 I should do that. I should take that initiative and give them that
10 closure of seeing them, saying, "Hey, how's it going?"

11 Q. So you spent your leave period between AIT and Alaska with
12 Kim. You spent your 10 days of block leave in Idaho seeing your
13 family and recovering from your staph infection?

14 A. Yeah.

15 Q. And then back to Alaska?

16 A. Back to Alaska.

17 CDC: Is this a good time to just----

18 I/O: Take a break?

19 CDC: Just make a head call.

20 I/O: Sure, absolutely.

21 CDC: And then if you don't mind, I'd like to have a minute or
22 two----

23 I/O: Absolutely.

1 CDC: ----just to scan all the junk that's come in on my cell
2 phone.

3 I/O: Absolutely.

4 CDC: Is that okay?

5 SBJ: That's fine.

6 CDC: Are you all right?

7 SBJ: Yeah, this is a good stopping point.

8 I/O: Okay. So we'll pick it back up with coming back to Alaska,
9 after block leave and before deployment. Okay.

10 [The interview recessed on 6 August 2014.]

11 [The interview resumed on 6 August 2014.]

12 I/O: Okay, so are you comfortable there?

13 SBJ: I'm good.

14 I/O: All right. If you need to change seats, just say so. I'm
15 happy to do that.

16 **Questions by the investigating officer:**

17 Q. So we left off, you took your R and R break. Everybody
18 else took about a month. You spent a lot of that up in Alaska. You
19 did take 10 days. You didn't go to see Kim in Portland. You went
20 home to see your folks, recognizing, family being what it is, you
21 still have responsibility to them and you are deploying to combat and
22 they did come to your basic training, so let me go check in with

1 them. You stayed with your friend. You borrowed your dad's truck.

2 I guess your hand was on the mend and then you had a relapse.

3 A. Yeah.

4 Q. I mean, when you left Alaska, you know, you were cleared to
5 go on leave?

6 A. Yeah, I was cleared, yeah.

7 Q. And then it came back.

8 A. It came back.

9 Q. Then you were treated there, ten days, back to Alaska. So
10 now it's probably early January '09?

11 CDC: Yeah.

12 A. Of '09? No, close to it. Like the last month of '08.
13 Because we deployed, the unit deployed in February of '09.

14 Q. Right, okay.

15 A. And so I got back, we went on Christmas, it was Christmas
16 block leave.

17 Q. Okay, of '08.

18 A. Like it was just after Christmas.

19 Q. And then into New Years of '09.

20 A. Yeah.

21 Q. Okay.

22 A. So we were just getting into--so I get back. My hand heals
23 up. I was on profile. My hand was swollen and it was--if I did

1 push-ups, you get this really grey, ugly-looking bulge on the side of
2 my hand so I was on profile. That healed up. I got cleared off my
3 profile. And we started prepping for deployment. One of the things
4 I wanted to do was get new boots. So I got new boots.
5 Unfortunately, the last very short ruck march exercise that we went
6 on ,I wore my new boots because I needed to break them in.
7 Unfortunately I laced them the way I laced my old boots and I left
8 them too loose.

9 Q. Okay.

10 A. And I immediately got a blister on the side of my left
11 heel. Now, I cleaned the blister. It was just a blister. So I
12 cleaned it and treated it just like any other blister. But it ended
13 up becoming infected with the staph infection. Now, I did my best to
14 just keep it clean and try and push on because I didn't want to do
15 anything that would hold me up. I'm not the kind of person that goes
16 running to the doctor just because of like a little blister or
17 something like that.

18 Q. Yeah.

19 A. Unfortunately, over the days and weeks, it started getting
20 worse. And because I was using iodine for cleaning, it dyed my skin
21 brown. So I couldn't really see what the skin looked like. So I
22 knew it was really bright red. And here's another example of my
23 unit. One morning we were getting ready to go out for formation for

1 the morning formation, and the platoon medic was walking through the
2 hallway and I stopped him. I said, "Look at this." And he looked at
3 it and he didn't really even pause. Well, he paused but he didn't
4 even really stop walking. He paused, he looked at it, he turned
5 around and said, "Yeah, that's going to get nasty." And he kept
6 walking. And there was no other advice to me as one of his Soldiers
7 that he was supposed to be overseeing. He glanced at it and said,
8 "That's going to get nasty," and he walked on. He never said, "Go
9 get it checked out." He never said, "You need to come see me. We
10 need to get this under control." We're about to deploy. He doesn't
11 do any of that.

12 Q. Was this the same medic who you end up serving with in
13 Afghanistan?

14 A. No. This isn't--this is like the platoon medic.

15 Q. Okay.

16 A. Our squad medic was different. That was Corneilson.

17 Q. Okay.

18 Q. Because our other medic broke his back in a jump.

19 A. Okay.

20 A. Doc Slaughter was a really cool guy. And during NTC I got
21 to know him because he's the medic. You know, he has to--I'll just
22 do a quick brief here. When I got to NTC, because I was new to the
23 unit, I hadn't really--you know, in the barracks you don't really get

1 to see those--he was married so he lived off post. Or he lived on
2 post but he lived in a different area. So I never really got to see
3 him very often. So when we got to NTC my cot was right next to him.
4 He's an Army medic. He needs to know what your issues are. I have a
5 red dog tag.

6 Q. Right.

7 A. Right. Because I'm allergic to Amoxicillin. If something
8 happens to me out there, he needs to know that.

9 Q. Sure.

10 A. To pass it on, if anything, to make sure that the people
11 who are taking me, who are evacuating me pass it on to the base. If
12 for some reason I get hit in such a way that they have to strip me
13 off and thankfully Senior Drill Sergeant Olivera [phonetic], I think
14 he was the only one who ever did this, he told me to put across my
15 brown shirt in marker my initials, my last four and A-positive. And
16 "Alert: allergy, red tag, allergy, Amoxicillin." So that if
17 something happened to me out there, they stripped off my body armor,
18 the medics could glance----

19 Q. They'd know.

20 A. ----see and know. Because what if something happens to me
21 so bad that when they're ripping me [ripping gear and clothes off me]--
22 they're taking everything off, they clip that chain and that goes off with
it
23 and they put me on the MEDEVAC and the MEDEVAC--and I get to the hospital

1 and nobody knows.

2 A. Right. So I knew that he needed to know that. So I got
3 with him. We hit it off because he's just kind of--he's got a very
4 quirky sense of humor and he's a medic. You know, they have weird
5 senses of humor. So I got along with him. And I knew that he needed
6 to know what was going on with me because I'm one of his Soldiers.
7 He's responsible for me.

8 Q. Right.

9 A. It's not just if I get hit.

10 Q. Right.

11 A. It's, "How's your feet doing? How's your body doing?
12 How's your shoulders doing?" He has to keep me going when I get in
13 that battlefield because not only am I going to a battlefield where
14 I'm wearing 100-plus extra pounds of gear--you know, weapons because
15 I'm a SAW gunner. But also we're going to one of the most extreme
16 terrains in the world. And it's a desert and the heat is a killer.

17 Q. Right.

18 A. I mean, literally, that's what we were taught back in basic
19 at Benning. In the summertime you saw what it was. So he breaks his
20 back on a jump right before we deploy. The last jump before
21 deployment. I never see Corneilson until I get to Afghanistan. He
22 never came to me because--he never talked to me. He didn't even
23 introduce himself. I had to ask, "Well, who's the replacement to Doc

1 Slaughter?" Well, they just pointed to, "Oh, Corneilson." You know.
2 And he never came up to me, he never said, "Hey, how's--all right, I
3 need to understand--how's your"--he never asked me. I was late to
4 deploy because of a staph infection, because of MRSA, which means
5 it's in my system.

6 Q. Right.

7 A. He never came up to me and said, "How's it going? How's
8 your foot going? What do I need to know? What medicines are you on?
9 We need to get this cleared up. We need to understand this." If I
10 have MRSA in my system and I get hit out there and I get to the
11 hospital, I have open wounds that could easily go south quickly.

12 Q. Right.

13 A. He never even asked me. It was in the paperwork, yeah.
14 But paperwork is one thing. How easy is it to slip up? How easy is
15 it to get lost somewhere? He never talked to me. So basically what
16 happens with my staph infection in my heel, the doc sees me, he goes,
17 "Yeah, it's going to get nasty." He passes on. At that point we
18 basically lost Doc Slaughter. And the only reason why I ended up
19 getting taken to the emergency room was because my battle buddies,
20 the guys in my platoon who I knew, one was Cross, PFC Cross, I
21 believe it was Chris, and there was Nascimento and Steven Hole and
22 Howard and Sutton. They're like, "Hey, man, you need to get to the
23 hospital." Because it was swollen. It looked ugly but it had iodine

1 on it so I couldn't really tell what it was looking like. So they
2 get me to the emergency room, they drop me off, Sutton gives me his
3 smart phone and says, "Call us and let us know when you're done." I
4 get into the emergency room and the surgeon comes in and he takes one
5 look at it and presses down on it and it bursts and literally just a
6 mountain of puss just oozes out and they said, "All right, we need to
7 get him into operation now." I go through the operation and that's
8 it. I miss deployment. Like deployment was literally the next day
9 they were leaving, the next couple days. I was in the hospital and
10 they were basically leaving a day or two after that. That was it.

11 Q. So you had to recover? Stay back and recover for a while?

12 A. Yeah. And that took me about three months. February,
13 March, April. I believe it was the end of April going into May that
14 I got over there. Like I said, I'm terrible with dates.

15 CDC: Let me interject for one second. I'm going to assume that
16 you know and want to shift forward. But just before we leave this
17 subject, how is your heel now? And you also said that your back is--
18 you have some back issue? So just take one second.

19 I/O: Sure. Absolutely.

20 CDC: You know, what's your deal physically right now?

21 I/O: I was going to ask him myself, how's your heel now?

22 CDC: Okay, sorry.

1 A. Well, now there's--there was the scarring. And before
2 there was some--because they had to cut out such a huge hole, there
3 was some nerve--it came back really weird. So it had kind of weird--
4 like marching, there'd be like a tight, kind of, a little bit of pain
5 and pull down there. But now, because of the neuropathy, I can't
6 actually feel it.

7 Q. Right. It's a different issue.

8 A. Yeah, a different issue.

9 Q. So you were, I mean, I guess back in--so the unit left in
10 early March, late February, early March, the unit started deploying.
11 You stayed back. You left in early May. Before you left, you were
12 fully recovered and cleared medically for deployment?

13 A. Yeah.

14 Q. Okay.

15 A. Yeah, I was.

16 Q. And you're confident about that?

17 A. Yeah, no there wasn't----

18 Q. They weren't playing games trying to push you out?

19 A. No.

20 Q. And you weren't playing games not revealing----

21 A. No.

22 Q. ----injury to them? I mean----

23 A. I was 100 percent.

1 Q. Everybody agreed, yeah.

2 A. I was 100 percent. It healed up. It closed up. I was, in
3 my spare time, I was rucking. And so, I had full mobility. I had
4 full strength. Like the entire time I was on crutches, I was still
5 walking to make sure that my muscles didn't completely atrophy. So I
6 kept that up. So when I deployed I was--I had started running before
7 when I was still back in the states I started running. So when I
8 deployed I was 100 percent.

9 Q. Okay.

10 CDC: And now do you have a profile?

11 A. Yes, now I have a full profile.

12 CDC: A full profile. And just a word about your back. What's
13 the deal with your back?

14 A. It's just really painful in the lower down--in the muscles.
15 It's not actually bone. But basically, what it was, was from the
16 last five years the position I spent the majority of the time in was
17 on the floor, sitting, cross-legged and basically having no support
18 except for those basic muscles really. So that's what the problem is
19 there.

20 CDC: Do you take anything for it?

21 A. No. I'm not a pill person. I don't like pills.

22 CDC: Have you been given a prescription?

1 A. No. They've offered it to me, but like I said, I'm not
2 one--if it's pain that I can deal with, then I'm not going to start
3 taking pills that are going to give me side effects, or make me more
4 drowsy, or make me less alert, or anything like that. Same with my
5 feet. They want to give me----

6 CDC: Does your back ever lock up so that you are immobile?

7 A. Sometimes, yeah, like the muscles will.

8 CDC: Yeah, that's what I'm talking about. Do you have muscle
9 spasms?

10 A. Yeah, sometimes.

11 CDC: You have to lie on the rack for a day, two days? How long
12 does it take to resolve?

13 A. Not a day. It would be like more of an amount of time.
14 Like when it locks up really bad it will take maybe half a day of
15 just making sure that I don't go out of the way of straining it or
16 anything like that.

17 CDC: Got it.

18 A. Just letting it relax again.

19 CDC: Okay. Not to digress.

20 I/O: No. That's important. Okay.

21 A. So that deploys me late. So I get over to Afghanistan.

22 Q. Anything significant about the time in Alaska when you were
23 on Rear-D. Just really frustrated, disappointed, eager?

1 A. Yeah. Like I said, at that point, you know, being a young
2 man, I'm not patient.

3 Q. Yeah, right.

4 A. This was my adventure. This was where I was. During NTC
5 there was those bad moments but it was like, "I'm getting these
6 weapon systems up on the trucks. I'm driving these trucks, you know,
7 LMTVs. I'm doing these things." This was like, "I'm getting paid to
8 do this."

9 Q. Sure, sure.

10 A. And then when I got into Afghanistan it was like, you know,
11 they put you into the MRAPs to drive into maintenance or whatever and
12 it was like this was, "I'm getting paid to do this."

13 Q. Yeah, right.

14 A. You know, this is awesome. So there was that.

15 Q. So early May--we checked your records. I think it was
16 around the 9th of May or so you got a commercial flight to Kuwait and
17 then to Bagram and then Sharana.

18 A. Yeah, yeah.

19 Q. Around the 11th of May I think is when we think you got
20 there. Somewhere around there.

21 A. Yeah, around the 11th of May. Because we spent time in
22 Bagram before I got to Sharana.

23 Q. Typically.

1 A. To in-process the Army base, basically. Now I should--
2 there's a detail I should go back to. Before, when my unit was
3 prepping to deploy, we did an equipment layout for the battalion
4 commander and sergeant major. They went and they did it by platoon.
5 So platoon, platoon, they'd do a walk through, you know, basically
6 looking at our immediate equipment. Basically our full body battle
7 rattle, all our equipment. Our racks, everything. So they look at
8 it, make sure that, you know, they wanted eyes on, to see everything.
9 And then after they did that, then they were going to give their
10 speech. Now, I know that Hollywood has done an amazing job at
11 bullshitting and delusioning [sic] the American people about war
12 movies and the video games have done an amazing job at making guys
13 feel like they're these awesome, you know, supernatural or unnatural
14 killing machines or whatever. You know, that's understood. That's
15 kind of the American culture. That video game, movie, adventure, the
16 action movies of Hollywood, that's what it does. It's ironic that
17 the war movies that you watch, it focuses on these main characters
18 and these main characters, no matter what, never get killed. And
19 what happens is anyone who's watching that will assimilate to that
20 main character and say, "Oh, that's me." So that they literally
21 trick themselves into thinking that that's me and nothing's going to
22 happen to me.

23 Q. Right.

1 A. The reality of the situation is that is not you and it is
2 not a Hollywood movie. And the real world's rules are completely
3 different.

4 So here we are, we're standing here, the sergeant major and
5 the lieutenant colonel are doing their talks. The sergeant major is
6 going to do his. He opens with, "I know you all joined because you
7 want to rape, pillage, and kill. That's why I joined. However, you
8 need to think about COIN." Now, what hit me about that immediately--
9 this was the first time I had heard anything from the sergeant major.
10 Like, I saw him in NTC. He was going around pulling privates to go
11 clean things up. All right. But I never had any actual interaction
12 with him. So this was the first time I actually heard him talk about
13 anything, about what's going on here. And when he said that,
14 immediately what popped into my mind was basically what you're saying
15 is, "You joined because you want to be a rapist, a thief, and a
16 murderer." Because that--to kill--you say, "Rape, pillage, and
17 kill," that's literally going back to Genghis Khan. Now, the issue
18 of Genghis Khan in Afghanistan is a completely different subject that
19 we're not going to get into. But so it was like I was a little taken
20 aback by it because that's not why I joined. I didn't join to be a
21 rapist, murderer, and killer.

22 Q. Right.

1 A. All right. And at my time in Alaska, every weekend we had
2 to have briefs, safety briefs. Typical thing, right?

3 Q. Mm-hm.

4 A. What it always contained was, of course, alcohol. Fort
5 Richardson had a huge problem with drunk drivers. Apparently Alaska
6 had like the biggest drunk driver problem in the entire Army. And
7 then there was the drugs. But the one subject that was always there
8 was sexual assault and rape because it was prevalent in the--usually
9 it was the other MOS's units when they mixed women in with men,
10 which, you know, it's kind of a no-brainer.

11 Q. Right.

12 A. But it was just like hearing that going on in the unit was
13 to me, that's--it was disgusting to know that that was literally
14 happening in the military. A military unit is not supposed to be
15 like the world out there.

16 Q. Right.

17 A. A military unit is supposed to be the team. It's supposed
18 to be a unit. And the fact that these Soldiers that we're supposed
19 to be relying on for support, they don't even have the ethics not to
20 rape a woman or not to sexually assault a woman. And they're in
21 their barracks which means they're that team member.

22 Q. Right. Right.

1 A. So that hit on me and then when the sergeant major said,
2 you know, "The reason why I joined is to rape, pillage, and kill."
3 That immediately settled into my mind, "Well, there's the problem."
4 If that's the reason why people are joining the Army, then no wonder
5 we have these safety briefs about drunk driving and drugs and sexual
6 assault. And the reason why we're telling you, you know, two days
7 ago there was a rape in the such-and-such barracks. The reason why
8 we're listening to that is--you can argue, well, that's just human
9 nature. That's just what happens. You see it out in the cities all
10 the time. But that was just--you know, this is a military unit.
11 We're not supposed to be civilians. We're not supposed to be normal,
12 like that world out there. This is the reason why back in the old
13 days, those prestigious levels of society allowed military personnel
14 because the military personnel were held and trained to a higher
15 level of personal bearing. So that was one of the ways that you get
16 up into the higher society was by being in the military. You didn't
17 have to have the money. You didn't have to have the connections.
18 All you had to do was have that bearing and that service to your
19 country. And all those snobs upstairs respected that. They had to
20 because they understood what that meant. And that, unfortunately,
21 has fallen apart. Because no longer do we hold ourselves to that
22 standard. And that unit, my experience, I didn't see any of that

1 being--I'm not going to speak for the rest of the Army because it's
2 much bigger than my perspective.

3 So going back to--I get to FOB Sharana from Bagram.
4 Another thing that scared the heck out of me, before I get to FOB
5 Sharana, we fly into Kuwait. We come off the plane that came from
6 America and we come into the airport at Kuwait because it was a
7 commercial flight. We get into the airport at Kuwait, I don't know
8 anything about Kuwait or the security measures or what they're
9 dealing with, but we step out of that airport, a bunch of privates
10 and one sergeant who also was deploying late for some reason. I
11 don't know what it was. He wasn't infantry or anything. He was a
12 different MOS. He's supposed to be our supervisor because he's, you
13 know, the highest rank.

14 Q. Right.

15 A. So we step out into the airport and I'm looking around and
16 I'm seeing nothing but bed sheets and turbans. Or bed sheets and
17 facial coverings and I'm going, "Good grief." Here we are, we've got
18 these giant green bags, we've got these ACU rucksacks. We've got the
19 short haircuts. We're in civilians. But it doesn't take a genius to
20 say, "Group of Soldiers." As well as there's airport personnel that
21 work at the airport that are locals signing off on military
22 personnel paperwork and getting us into the country. It doesn't take
23 much but a phone call to say, "Hey, guys. They're at the airport."

1 So we go out into the--we go past the gates, into the lobby. And
2 when we had to get all of our luggage, there was a--you know, of
3 course, obviously there's going to be a huge mix up because everybody
4 has to scatter to pick up their stuff. So we scatter to get all our
5 stuff and we try to get through the gates. One of the young guys, I
6 don't know what his problem was or if there was a problem. I think
7 he was just overwhelmed. He doesn't come through the gates as fast
8 as everyone else. He got held up for some strange reason. So we're
9 waiting for him, we're looking for the sergeant who's overseeing us,
10 we're a bunch of newbie privates who haven't even been deployed
11 before and what happens? He goes out and gets onto the first bus
12 that we're supposed to be on and that bus leaves without us. All
13 right. Now, buses are not giant, humongous trains that have multiple
14 carriages, and the amount of people that were getting on that bus, I
15 mean, you've got at least five or six other privates under your
16 command. That's a pretty obvious facial recognition thing. He goes
17 out, he leaves us behind, gets onto the bus and takes off. We're
18 looking around going--we're trying to get accountability of this
19 young guy who's having trouble. We get out there and suddenly we're
20 there by ourselves, standing by the door, looking like Soldiers in
21 the Kuwait airport.

22 Q. It's pretty uncomfortable?

1 A. Yeah, extremely uncomfortable. And he just leaves us. It
2 was like, it's a bus. We didn't know what to do. So we're standing
3 there by the front door where we're supposed to be to get on the bus
4 going, "What do we do?" And some--a man comes out, whether he was
5 CIA or something like that, he's in plainclothes but he obviously
6 knows what he's doing, he comes out. He's obviously got huge
7 security levels because he just walks out past all the security gates
8 like he knows what he's doing. He has a radio in his hands and he
9 says, "Okay, guys. What's up?" We said, "Well, we're supposed to be
10 on the bus." He's all, "Another one's not coming. Well, you missed
11 that one. Another one's not coming for such-and-such a time."
12 Right. "You need to wait for that one. You need to look
13 inconspicuous. So don't stand here by the front door right now." So
14 we had to move back from the front door. We basically set up--
15 there's a giant pillar and we basically put a 360 around that pillar
16 and sat there waiting. And it was extremely uncomfortable because
17 we're the only white people.

18 Q. Sure.

19 A. Not only the only white people there, but----

20 Q. Obviously Soldiers.

21 A. Yeah, obviously Soldiers. And you've seen all these locals
22 coming in and getting their family that's flying in from the airport.
23 So we make it onto the plane, or we make it onto the bus, the next

1 bus, and we get out there. And we find the other sergeant who was
2 like, "Sorry guys, I thought you were right behind me." It's a bus,
3 you know? He gets us to Bagram. Bagram we split apart and I get
4 to--me and another Soldier who was also in my platoon, Private First
5 Class Fry, Jason Fry, so we get to FOB Sharana. At FOB Sharana we 6
meet sergeant major. And he goes, "Who's not 100 percent?" Fry, 7
not only--he broke his collarbone once but then right before we
8 deployed or a couple of weeks before we deployed he went snowboarding
9 and broke his collarbone a second time. Now, I don't know if you've
10 ever met him, but he's a fairly--he's not very robust. Let's just
11 put it that way. He's medium weight, medium height, but you know,
12 very thin. And so he's not 100 percent. So he gets pulled from the
13 platoon and he goes to work, basically, he gets taken to a FOB that
14 is a combination of like military personnel like Special Forces who
15 are working with the ANP, Afghanistan [National] Police. So it's a
16 combination base. And what he does, from what I last heard of, was
17 he was handling all the reports that were coming in. People would
18 bring reports of intel or whatever and he would handle that, those
19 reports, and file them. I mean, they issued him an M16 because that--
20 -I saw it too. It was just basically the oldest M16 in the blasted
21 armory basically. So he gets pulled out. He's no longer part of the
22 platoon. He's no longer infantry basically. I mean, he has a broken

1 collarbone. You can't put on weight when you have a broken
2 collarbone.

3 Q. Right.

4 A. So he gets pulled out. I'm standing there and our sergeant
5 major looks at me. "You're 100 percent?" "Yes, I'm 100 percent."
6 Because I was. And I get--from there I take my bags, I get to my,
7 you know--my perception when I deployed and perhaps you could say it
8 was my ignorance because I didn't ask enough questions, but my
9 perception when I deployed was I was going to a tent behind a bunch
10 of sandbags where I was going to be in a desert sweating, dirty, and
11 living as basic and as----

12 Q. Austere and Spartan.

13 A. Yeah, like back in World War II when those guys would be
14 forced forward and you had nothing but a bunch of cans of meat and
15 bad living conditions or Vietnam. So you could say Hollywood, not
16 Hollywood but the storytelling romance going on in my head.

17 Q. Sure, yeah.

18 A. So I get to FOB Sharana to my air conditioned barracks with
19 springed mattresses and hot water for showers, bathrooms with
20 toilets, you got the--I forget what it's called but the place with
21 all the computers and the phones where you can go, you've got the
22 basketball court, you've got the Burger King and the Pizza Hut. So I
23 get there and I'm just like, "Are you kidding me?" You've got the

1 chow hall where you can go and get as much food as you want, whenever
2 you want, which was a complete phenomenon to me because living the
3 way I had lived, I lived very minimally and only eating when I needed
4 to eat because food costs money. So I'm looking at this and people
5 are complaining to me that life is so hard over here. I'm going,
6 "Are you serious?"

7 So I get to these barracks and literally that night we had
8 to go out on a routine mission that's QRF. And I can't remember the
9 exact details of that mission. But when we were at Bagram we went
10 through an IED course, typical IED course. They walk through the
11 steps of how to spot IEDs. It's a complete joke because anybody
12 smart enough to know a little bit of human beings will know that IEDs
13 are being used as a weapon because you don't spot them. They showed
14 us a motorcycle. "How do you know that this is an IED?" One of the
15 guys points to the rear taillight and says, "Because there's wires
16 sticking out of the rear taillight." I'm going, "This is a third
17 world country. There's going to be wires sticking off. The thing is
18 going to be held together by baling twine and chewing gum and tape."
19 This is a third world country. You see pictures of Chinese, Vietnam,
20 you see pictures of the Middle East, you see how these people have to
21 survive. Their shoes are held together by whatever means they can.
22 So it's like, you're looking at a motorcycle, how do you tell it's an
23 IED? Unless there's some--you can't. And they know that. They're

1 not going to go to the trouble of making an IED and then making it so
2 obvious that you're going to see it, right? That's why it's called
3 war. That's why it's called strategy. That's why it's so hard to
4 deal with guerilla warfare, right?

5 So the IED course was basically a joke of saying, "Well,
6 this is how you spot this. And this is the type of explosives that
7 they're using. They're using old Russian mines." No, they're not.
8 That's one of the things they can use, yes. But what they're using
9 is tape and homemade explosive. But one of the things that they
10 taught us in that IED course was, "Here's a culvert that goes under a
11 road. They put explosive in the culvert because it's easy and it's
12 simple and it also serves as a visual discernment of when that
13 vehicle gets to that point, push the button." So what did we do?
14 Well, we started dismounting Soldiers to check the culverts. What
15 did they do? Counteraction. They started putting IEDs in the
16 trenches or the channels that the Soldiers were climbing into for
17 those Soldiers. Simple tactics. Very common sense. Very obvious.
18 Okay. That's what we need to watch for. All right? Got it.

19 First mission I go on was a night--basically, it was a
20 night vehicle patrol. It was just we were going out to do something,
21 like I said I was a little vague on the exact details of it. I was a
22 little overwhelmed. I had just gotten into the country. I threw my
23 rack together and they were basically saying, "We're leaving now."

1 You're on patrol with us. Jump in the car or jump in the MRAP." So
2 we drive out there. It's nighttime. We're going off of NODs and IR.

3 Q. A what?

4 A. NODs, night vision and infrared lighting.

5 Q. Okay.

6 A. So I'm in the front vehicle with, not the platoon sergeant
7 but the next in command, so he'd be like--the platoon sergeant, the
8 official platoon sergeant, and he's like the unofficial platoon
9 sergeant. They're the same rank. Sergeant Hein was promoted to
10 first class right before we deployed. So I'm in the first vehicle.

11 Q. With Sergeant Hein?

12 A. Not with Sergeant Hein, but the next--with Sergeant Duffy.

13 Q. Okay.

14 A. So I'm in that vehicle. There's another SAW-gunner in
15 there; Logan, big guy. He's a SAW gunner. Now, SAW gunners do not
16 carry the same load as riflemen or 203 gunners. We carry more
17 ammunition. We carry more equipment, so we're the heaviest. And
18 because we're carrying so much extra weight, we also have extra
19 muscle weight which makes us even heavier, right?

20 Q. Mm-hm.

21 A. So the convoy comes to a stop, the QRF convoy. It's just
22 our platoon. It comes to a stop at nighttime. There's a culvert
23 ahead. We've got to dismount to check it. All right, now I get the

1 idea that I'm the newbie here so I need to start learning how to do
2 things. But what happens is in order to go check this culvert you
3 have to slide down a three-foot bank into a channel, check the
4 culvert, climb back up the three-foot bank, which is just loose dirt
5 and very hard to do especially when you're holding a SAW with SAW
6 rack with NODs in the middle of the night. So what does he do? He
7 dismounts two SAW gunners, Logan, he's gotta be--you know, he's a
8 weight lifter so he's got to be one of the heaviest guys in the
9 platoon and myself, to go check the culvert. So okay, fine. We
10 dismount, we push out from the vehicles and we start going. Now, no
11 one ever told me this but I understand this just from what I learned
12 from books, just from what I learned before the Army, is that, when
13 you get into those moments, slow down and take your time, because
14 that's where mistakes happen. And I also learned back in IED course
15 that you need to start habits now. Good habits now save you later
16 because good habits started the first 90 days and the last 90 days
17 are what are going to get you. Because the first 90 days you're
18 starting your habits and you're not quite sure what you're doing. So
19 if you stay, if you start the habits and you build those good habits
20 to begin with, when it comes to the last 90 days--there's so many
21 casualties in the last 90 days because people start getting sloppy.
22 So you have to start your habits now.

1 So I dismount. I start pushing out. I've got my stupid IR
2 on my SAW isn't working because the lens has broken off and it wasn't
3 my fault because I had just got there. The person, whoever it was
4 that was carrying my SAW into Afghanistan, they apparently had not--
5 they had bashed it on something. So I can't use that IR. I'm using
6 the infrared off my NODs and I also have a red lens headlamp that I
7 carry in my pocket. So I'm using my IR off my nods which puts a very
8 limited amount of spectrum out there. And my NODs were messed up to
9 begin with so I'm not getting the full benefit of having NODs on.
10 But my thought is, "Here I am. The idea is to look for IEDs just in
11 case by random chance or an act of God you see it before you step on
12 it." So I slow down. And at no point in time did anybody tell me
13 that it was a time sensitive thing. It was a routine mission, I knew
14 that. And it wasn't even a pressing mission. There was nothing time
15 pressing about it. So I'm walking toward the trench. Suddenly the
16 sergeant opens the front door and tells me to hurry up. Hurry up
17 goes against the common sense of--basically, he was just saying,
18 "There's a possible minefield in front of you, hurry up and go hit a
19 mine." That's amazing coming from the person sitting back in the car
20 or in the truck. Not so amazing from the person that's standing here
21 being ordered to walk even faster through a possible minefield. So I
22 say--at that moment it's almost what happened in my mind was, "Okay,
23 this a joke. It doesn't matter. It's just random chance. It's

1 luck. It's an act of God that if you make it past--if you don't step
2 on the mine or if you step on a mine, that's fate. That's God's
3 will. And it doesn't matter what you do. It's a joke." So I picked
4 up my pace. I got to the trench. However, I'm certain here I should
5 take my time, so I did. I paused. I started scanning the trench.
6 The door opens again, "Bergdahl, hurry up." So I basically slide
7 into the trench. I fumble with my stupid red light to check the
8 culvert again. I'm checking the culvert, trying to make sure that
9 there isn't something down there. And again they start yelling at
10 me. Again he opens the door, "Hurry up." Logan says, "Yeah, hurry
11 up." Because Logan's trying to help me out. It was like this is a
12 joke. You're telling me to hurry up in situations I shouldn't be
13 hurrying. There is no reason for me to hurry at this point. There
14 is no timestamp. This is not a life or death situation that there is
15 a platoon pinned down out there that we need to get to. There's
16 nothing like that. This is my first night out. And they knew that.
17 That's why I dismounted to begin with is to start getting that
18 practice. And you're telling me to hurry up and go through a
19 minefield? You're telling me to hurry up and just do what they're
20 expecting the Taliban want me to do and just throw me into that
21 trench without even a thought? That was my first mission. That was
22 my first experience in Afghanistan. And that basically continued.

1 The other thing that immediately came into view was there
2 was somebody called, he was a specialist when we got him, Specialist
3 Gaughan, became Corporal Gaughan fairly quickly. And the reason he
4 became a Corporal Gaughan fairly quickly was because he knew how to
5 kiss up to the platoon sergeants. He knew how to kiss up to all the
6 other sergeants. But the reason why--he had been in the Army a long
7 time. He had been a higher rank. But the reason why he wasn't a
8 higher rank and the reason why he was a specialist was because he had
9 done something which we weren't--we were told by our sergeants,
10 "Don't go there. He's had some hard times. You're just supposed to
11 let it be." Okay, fine, "Roger that. Just let it go." But the
12 reason why he was busted down to private or specialist was because he
13 had--his life choices were pretty much sucking. And suddenly he's
14 corporal. And the only reason why he's corporal is because he knew
15 how to get all the other privates in trouble in such a way that would
16 make him look good. And from what I was getting from my platoon was
17 everybody knew this and everybody, you simply--at that time you
18 mentioned, "Corporal Gaughan," and everybody in the platoon would
19 roll their eyes and just go, "Shit bag, brown-nosing, that's what he
20 does." And everybody was ruing--well, not ruing the day, but they
21 were not looking forward to the day they gave him sergeant and put
22 him in command of one of the teams. But that's what they were
23 pushing for. They were pushing him as fast as they could.

1 On a sports team it only takes one bad person for the
2 entire team to lose focus and fall apart and start arguing amongst
3 themselves about little things or start, you know, on a regular sport
4 team. This team is in the middle of a war zone where our vehicles
5 are regularly getting blown up by IEDs. We're dealing with that
6 pressure. And in the middle of this war zone we have to deal with
7 this guy, there's a few of them, that were doing their personal
8 agendas, getting their teammates in trouble so that they could get up
9 higher. And the way that he used his rank was basically, "I was
10 bullied too often as a kid, now I get revenge." He was using his
11 rank as, "I have rank. I get to say something to you and you have to
12 say, 'Roger that,' Corporal. You have to do this, you have to do
13 that because I have rank and I can use it." And he's going to use it
14 for whatever he wants to use it for. That's the kind of person he
15 was. And he got us in trouble. Like there was one time out in the
16 field, I'll just give you this example, we were out at a TCP and when
17 we got back to the FOB, the main FOB, Sergeant Duffy called the
18 platoon. We were running maintenance on the trucks really quick. He
19 called us all into the area behind the trucks, put us in the front-
20 leaning rest position. He had an AT4 in his hand, he says, "I want
21 you all to look at this." He tips the AT4 upside-down and a bunch of
22 candy wrappers fall out of the barrel. All right, now Senior Drill
23 Sergeant Olivera told us that when you're getting AT4s from supply,

1 make sure that the rubber cap on the end isn't broken because that
2 means it's still good to go, it hasn't been affected by, you know [water,
3 sand, dust etc]. So whoever it was who was in charge of getting those AT4s
4 apparently didn't care. All right, I understand that there's going to be
5 pressure and there's, you know, the supply guys can't always give
6 perfectly good AT4s. Okay. Understood that. So here he is, he tips
7 the AT4 upside-down, whether it was his fault or not that we signed
8 for an AT4 that had the end caps not sealed, well, that's debatable,
9 but candy wrappers fall out of it. Now he's like, "I want to know
10 who did this." Nobody says anything. "Well, you're not going to say
11 anything?" These aren't the exact words, but this is the general
12 idea that's going on. "You're not going to say anything?" Now,
13 everybody knows that before we went down on the front-leaning rest
14 position, everybody was basically warning us that, you know, Gaughan
15 is up to his old tricks again and that something's coming down. And
16 people were talking about the AT4. So when we got to that moment, I
17 had an understanding of what was going on. So Sergeant Duffy is
18 standing there. He says, "Well, I want you to tell me who did it.
19 Stand up now," and you know, whatever. And no one's doing it. So he
20 makes the assumption--I'm fairly certain he makes the assumption that
21 we're doing the whole, we're all just going to be a team and take it
22 together and no one of us is going to single out the other person.
23 But what I was thinking is not all of us are down here. And the

1 people that you're putting that question to isn't all of us in the
2 platoon. And so what I do is I'm sitting there and he says that. I
3 basically say, "We're not all down here, Sergeant." And he says,
4 "Well, what do you mean?" And he gets this smirk on his face like
5 because he knew what I was saying. And what I was saying was the
6 fact that Corporal Gaughan, his little whispering voice, was standing
7 behind the platoon sergeant and Sergeant Duffy, happily watching.
8 And everybody, all the privates knew and they were talking about it;
9 that that truck that the AT4 was on was the truck that Corporal
10 Gaughan was in. And all the other privates knew--it was character to
11 his reputation of doing these things. We're in the middle of a war
12 zone. We don't have a hard enough time dealing with what we have to
13 deal with but now suddenly we have to be smoked. We have to be
14 reprimanded because this guy is playing his own personal agenda. All
15 right. Got it. Fine. They're not going to do anything. Everybody
16 knows he's a shit bag, you know, everyone knows that. That's the
17 type of person he's going to be. Okay. Suck it up. Drive on.
18 That's what we do. All right. But this was just--it just sticks in
19 the back of your mind and you're going--it sticks in the back of your
20 mind and you have to think about these things.

21 Other instance, one of the guys that I was--his bed was
22 directly across from mine in the barracks here. His name was Howard.
23 And thank God he made it through that deployment.

1 Q. This is in Sharana?

2 A. This is Sharana.

3 Q. Sharana.

4 A. Yeah, this is in Sharana. Howard was a classic "should not
5 be in the military service," especially as an 11B, but he's there
6 because he's a good guy who wanted to do the deed. He wanted to do
7 the duty. He wanted to make his country proud. He wanted to make
8 his family proud. He wanted to do something that had meaning. So he
9 was there. He wasn't the best [PT] guy. He wasn't the best to deal
10 with stress. He was on Ritalin for legitimate reasons. He was
11 having a hard enough time as it was. Thankfully Nascimento was being
12 his, you know, was acting as his mentor basically and keeping his
13 back. Because Nascimento, I don't know if you ever met him, but he's
14 Brazilian and he had been in the Brazilian Army and those guys
15 aren't--they don't mess around. Well, the reason why Nascimento
16 joined the Army was because he wanted to come to America and he
17 didn't want anybody in America to say, "Well, you don't deserve to be
18 here." So he was in the military because he wanted to prove that, "I
19 do deserve to be here. I did my duty to this country. I put my life
20 at risk to defend this country because I deserve to be here." That
21 was his thing. So thankfully he was taking care of Howard. Now,
22 Howard's team sergeant who was also the guy who on his guard shift
23 out at a TCP was caught masturbating on the guard shift in the

1 evening, as if that's a good example of how you should be paying
2 attention to your sector of fire, you know, in the middle of this war
3 zone. One day we're in the barracks and he comes in and he basically
4 belittles Howard in front of me and Nascimento and I believe Logan
5 was there. He belittles him by saying, "Well, you know, I'm a man of
6 my word," by handing him 20 dollars because he bet Howard 20 dollars
7 he wouldn't pass his running test in Afghanistan but he did. So he
8 gave him the 20 dollars and said, "Well, because I'm a man of my
9 word." And then he gave Howard this look and then walks away. And I
10 could see Howard. Howard like stuttered to a stop and you could see
11 it on his face that it hit him hard enough, you know, it was like
12 just this nasty twist of [the blade], you know. And I asked him, "Howard,
13 what's up?" Well, he said, "Because I took too much of my Ritalin." And I
14 said, "Why'd you take too much of your Ritalin?" He says, "Well,
15 because after a while it stops working so I have to take more in the
16 daytime." Now, I didn't go in-depth into the issue, but from my
17 perspective what I saw was this: Howard, who doesn't have the natural
18 capacity to deal with the stresses of a combat zone, was a good-
19 hearted guy. He's on Ritalin, which is a serious--has serious
20 physical effects on people. I don't know the exact details of it,
21 but it has serious effects on your personality and how you behave.
22 So he's on Ritalin and in that very sentence that he said to me
23 immediately set off red flags in my mind of saying, "He's on a

1 medication and he's having trouble with it in the middle of a combat
2 zone and his sergeant's belittling him and getting digs at him
3 instead of saying, 'All right, Howard, we need to correct this.
4 You're having trouble with your medication. You're taking too many
5 of them. We can't have that.'" So you know, fix the situation and
6 say, "Give me your medication and once a day I'll give you the pill
7 that you need to have." Let's fix the situation. He's having
8 trouble. He's taking more than he should be. That's a red flag that
9 says he's having trouble and he has a medication that is perhaps
10 helping him deal with stress or depression or something like that, so
11 he's taking more than he should be. That's a red flag. If he's not
12 taking it, that's okay. All right, he's not taking as much as he
13 should be. That's still a red flag but that's not as bad as taking
14 more. But instead of--what I saw in that moment was instead of
15 saying, "Hey, Howard, how are you doing? Are you doing all right,"
16 or anything like that. it was a deliberate dig at him that hurt him
17 like he doesn't have enough to deal with on the fact that every time
18 we roll out one of our trucks, he has a huge chance of hitting an
19 IED. So I saw that.

20 Q. Who was the sergeant?

21 A. It was a Sergeant Komes was his name.

22 Q. He was a squad leader?

23 A. Yeah, he was a squad leader.

1 Another instance I saw. We're out at the TCP. We called
2 it the bullshit TCP because it was a complete joke. I mean C-wire
3 was our best defense and we had already been hit by a midnight ambush
4 or guys firing at us with AK-47s. So we're at this TCP and there's a
5 Private, Private Lanford. He's again, like Howard, he's not the best
6 physically fit guy, but he's there because he wanted to make his dad
7 proud. He wanted to make--from what I understood, he wanted to make
8 his country proud. He was there to do the service and, you know, to
9 do the duty. Now, he's a--I never heard of anybody having a problem
10 with Lanford. I had perfect interaction with him. You know, he
11 wasn't the best physically fit guy, but then again, you know, I'm
12 always going to the gym and that was what I do. That's not for
13 everybody. Not everybody can do that. He passed his PT test,
14 because if he didn't pass his PT test, why did he get deployed?

15 Q. Right.

16 A. Right. So that's nothing to do with--that's not my issues
17 because I'm a private first class. But what I'm seeing here is a
18 good-hearted guy who's there to do his job. Now, we're out in the
19 middle of a war zone at a TCP that's been hit before, in a platoon
20 that has a[n] [area known for IEDs and attacks]--you know, in order to
21 get to this TCP we have to go down what we call IED lane or IED
22 alley because there's always IEDs that are blowing up our trucks.
23 So we're dealing with a combat situation. Now, I'm sitting
24 there, Lanford's on guard duty and what's happening

1 is the platoon sergeant and another private are browbeating him
2 because of his personal life, because of his personal issues.
3 They're literally sitting there making fun of him and hitting him in
4 every way they can about his personal life while he's on guard duty
5 just for the fun of it.

6 Q. This was Hine?

7 A. Yeah. Now, I don't care what kind of sense of humor you
8 have and I don't care if Lanford was taking it easy [not getting upset].
9 He's the type of guy who's going to do that. But we're in the middle of a
10 war zone. This is our platoon sergeant who's ganging up with a private,
11 who are happily going off of each other's charisma or enthusiasm for
12 the situation, and are giving him a hard time, and are hassling him
13 about his own personal life. Now at the time, I was not an NCO, but
14 my drill sergeant showed me the NCO Creed. And the very first line
15 of it is, "I am a professional." The very first line of it is, "No
16 one is more professional than I." And in that NCO Creed is the words
17 that there are two missions, there are two main priorities, your
18 mission and the welfare of your men. All right. That's their creed.
19 That's what they should be holding themselves to. And I've heard
20 enough NCOs out there say that if you want to know how to be an NCO,
21 the first two paragraphs of the NCO creed is what you need to know.
22 So Lanford's having trouble. He's not the most physically fit guy.
23 He's not the type of guy who likes fights. He's not the type of guy

1 who thinks it's cool to get into--who wants to get into a firefight,
2 who wants to go out and do that job, who wants to go and do the
3 close-quarters, let's raid a house, let's search, let's do this,
4 let's do that. He's not that guy. He's the guy who's there because
5 his dad is proud of him. He's the guy who's there because he's an
6 American and he's doing what he believes is his duty. His wife back
7 at home--the personal issues that they're--I'm not going to bring any
8 more details up, but his personal issues that they're hassling him
9 about had to do with him and his wife, his wife who's back in
10 America. And he's in the middle of a combat zone where he could
11 easily be killed. Yeah, that's really good morale-boosting actions
12 on their part. So Sergeant Hine was doing that. The other private
13 was doing that. I tried to call the private into check because the
14 private was like, before he--at NTC he had said, "Well, my philosophy
15 is to each their own, let everybody do whatever they want." So I
16 tried to call him into check by saying, "You're contradicting
17 yourself by hassling him because your philosophy is let everyone do
18 what they--you know, to each their own. But you're hassling him
19 about his own personal life. You're contradicting yourself." I
20 tried to call him into check but I can't call Sergeant Hine into
21 check.

22 Q. Right.

1 A. Because he's a platoon sergeant. The only other person who
2 can call him into check is Sergeant Duffy who was sitting right next
3 to him letting him do that. Now not to mention that this TCP that--
4 obviously the TCP was a complete joke, but the first time we got to
5 that TCP there was an observation post up on the hill behind it. A
6 few hills before it. Now the first day I am up on the OP. We get
7 driven up there in the middle of the day. We get up to the
8 observation post and it's big enough for two guys to sit in it. But
9 for some reason, I don't know why, it was either Sergeant Hine or
10 Sergeant Duffy, they send up to the top, I think, six guys. So that
11 means the situation we were blatantly placed in on that OP in the
12 middle of a town, basically. I mean, the town was literally 50
13 meters, probably closer, to us, down that little hill. Now, it's a
14 funny little hill, like the TCP--I'm sure you've seen the maps.

15 Q. This is Mest?

16 A. Yeah, this is Mest. We were out of sight of our guys. The
17 only other people who had eyes on our [DUSTWUN] OP were the Afghans.
18 Now, we're out of sight from our guys. We're on an OP that's big
19 enough for two guys to be under cover, protected. And we've got six
20 guys up there. I think it was at least six because we were going to
21 do rotations, hour rotations. So the rest of us are standing behind
22 the OP on this little hill that has absolutely no cover and there was
23 a cemetery behind it. We're standing on this hill in full view of

1 the town, in full view of the country, the farmland, down there.
2 There's a road that drives by. Every person that drives by can look
3 up there and see us. The hill is maybe 30 meters to the top, from
4 the bottom to the top, maybe less. It would take you 15 seconds to
5 get to the top if you just pushed up it. So here we are. The first
6 day we're standing out there, that's it. So the sergeants that were
7 up there were like, "Okay, everybody lie down on the ground and don't
8 get up unless you have to. Low profile." So we all lie down there
9 in the middle of an Afghan summer. In the middle of Afghanistan on a
10 hill. We don't have to worry about the Taliban trying to kill us.
11 All we have to worry about is the sun killing us from heatstroke.
12 And, in fact, one of our sergeants had to be evacuated off that OP
13 because of heatstroke. I mean, literally, one moment he's sitting
14 there and suddenly he gets up. He's pulling his pants down and
15 diarrhea's running down his legs. And we get him off the hill and
16 the only explanation would be heatstroke because that's the only
17 thing that was up there and it was blazingly hot and we had no shade.
18 All we had was water to keep us cool. And we were just lying out
19 there. So we're out there throughout the day. Nighttime comes.
20 Where's our protective cover? The Afghans are placed in such a way
21 that we're completely blind at night. Anybody could come up the
22 side. Their sector of fire doesn't cover that side and our sector of
23 fire from our OP doesn't cover that side. We're completely open and

1 the town is right there. And the stupid labyrinth of weird alleys
2 and everything were right there and the giant walls. We have no eyes
3 on down there. We don't know how many people are piling up down
4 there. We have nothing like that. So the middle of the nighttime
5 comes and our orders are basically put your sleeping bags in a
6 haphazard tactical position around behind the OP. That was it. That
7 was the safety. They're the ones that put us up there and we had no
8 orders to fortify the position. It was one of the young sergeants
9 who were up there that ordered digging supplies and sandbags to be
10 brought up as well as a Hesco barrier to be used as shade to be
11 brought up. And we--it was his orders to fortify that position and
12 we started digging a hole and digging a hole big enough for at least
13 six guys plus weapons, plus gear, plus provisions. It was a big
14 hole. And it had to be deep enough, and with sandbags on the side,
15 to be a fortified position. So we started digging that.

16 Q. Who was the NCO who took that initiative?

17 A. It was Sergeant Leatherman.

18 Q. Leatherman.

19 A. Yeah, it was Sergeant Leatherman. So he took that
20 initiative. Now, in the midst of the next day--not the next day but
21 in the midst of digging that hole, in the morning we get a call from
22 the TCP, a radio call, that says the BC is in a convoy heading this
23 direction. Now, we're like, "Okay."

1 CDC: Actually, hold on a second. Make a note, the BC is in a
2 convoy. Let's make a breakpoint here because I don't know about you
3 all but I don't want to doze off here.

4 Q. Okay. That's fine. You're talking about the battalion
5 commander?

6 A. Yes.

7 CDC: Right, so let's take another mini-break.

8 A. And I should say that my time at the--my explanations
9 aren't going chronologically.

10 Q. No, I understand.

11 A. I'm just giving you events. I'm not giving you timelines.

12 Q. Yeah, don't worry. I'll sort them together based on what
13 we know if it's important. Some of it may get to a chronology but it
14 may not be important. If the chronology is important, we'll sort it
15 out.

16 A. Yeah, okay.

17 Q. So not a problem. Okay. Good. Let's take a break. All
18 right.

19 [The interview recessed on 6 August 2014.]

20 [The interview resumed on 6 August 2014.]

21 Q. Okay. So where we left was you told me about Staff
22 Sergeant Duffy, Corporal Gaughan, Staff Sergeant Komes, Sergeant
23 First Class Hine. Obviously a sort of a trend of frustration and

1 disappointment with some of the non-commissioned officers not leading
2 in the ideal sense that you described earlier.

3 A. Yeah, yeah.

4 Q. And so that, you know, has kind of been mounting. Sergeant
5 Leatherman being one who took some initiative without any orders to
6 kind of do what he believed to be, you know, a smart move there.

7 A. Yeah, yeah.

8 Q. And then you get word, somebody calls up to the OP, I
9 guess, from the COP, they call up to the OP and say, "Hey, the
10 battalion commander's on his way out there in a convoy."

11 A. Yeah.

12 Q. Is that right?

13 A. Yeah. All right. So another detail I should add was the
14 fact that so we get this call, "The battalion commander's on his way
15 out on a convoy." We're up on the OP. All right. Roger that, eyes
16 open for a convoy, whether the BC's on it or not. It's none of our
17 business. The BC does what he wants to do. One of the sergeants,
18 Sergeant Lewis says, "You know, technically the BC shouldn't be
19 leaving the FOB or being in the field like that." Whatever, I'm a
20 private first class. We talk about whatever they do, but it's none
21 of our business. So we go back to doing what we know we should be
22 doing because it's our immediate job, digging the hole to get

1 fortified for the next night because none of us want to have a
2 grenade dropped on us overnight.

3 Q. Right.

4 A. Or our throats slit. So we're focusing on that. Now, the
5 sergeants that were up there made another common sense call. Based
6 on the fact that we were put up there with no protection to begin
7 with, they're going off the idea that security--and quick side note
8 here. When I got there, nobody told me what the security situation
9 was. Nobody told me how active the Taliban are in this area. Nobody
10 told me what the proper guidelines were to dealing with everyday
11 being out there in the field. No one told me anything. No one sat
12 me down and gave me an explanation that there's sniper attacks here.
13 There's continuous this. Their theme in this area is this:
14 Obviously, it's IEDs. I picked that up right away. But nobody said,
15 "Okay, this is what they are. We're in a hostile area. We know that
16 there's Taliban directly here, that they're working with"--none of
17 that. So we get put up on this OP the first day out there that's big
18 enough for two guys and the rest of us are supposed to be standing
19 out doing nothing. Well, now either it's just complete error on
20 their part or they knew that they were doing that and the reason why
21 they did that was because there was no problem in that area, which
22 was a joke because it was a big problem in that area. We'd drive
23 down something we call IED lane, which means there's somebody there

1 putting IEDs in the lane every time we drive down it--or IED alley.
2 I'm a private first class. I'm not thinking at that point in time.
3 I'm not going to question people at that time. I'm going to sit
4 there like a private does and go, "This is kind of stupid," but I'm
5 not going to say anything else, you know? This is what we're
6 supposed to be doing. It made sense when the sergeant said, "Let's
7 fortify this position." It made sense. So common sense, one of us
8 had already been evacuated for a heat casualty. We're in the middle
9 of an Afghanistan summer, in the middle of an Afghan day, working.
10 We started in the morning and we're working toward the middle of the
11 day. All right, common sense says digging a hole in full battle
12 rattle is a really stupid thing to do. All right? They put us up
13 here with no protection. Common sense says, okay, take your battle
14 rattle off, put it within arm's reach and get this hole dug before
15 the nighttime comes and we lose visual. That is the theme they're [me and
16 the other Soldiers up there] thinking. All right. I am not going to question
17 it, all right? It sucks digging a hole and, you know, of course, a few of
18 us are going to grumble about it, but let's get this hole dug because it is
19 obviously for our safety. And, plus, we are going to put shade up and
20 we needed shade. So, we are digging this hole out of kit. Now, I
21 distinctly remember Sergeant Leatherman calling down to the TCP and
22 asking for what it is the--"What is the call for uniform up here?"
23 We got a vague answer of, you know--I don't remember the exact words,

1 but it was a vague answer of just what it should [be]. Just whatever.
2 Your discernment or something. It was left open basically. There
3 was no distinct, "You guys need to be in such and such body armor and
4 such and such if you are not doing this or if you are doing this."
5 There was nothing like that. It was left very open and very vague.
6 I don't remember the exact conversation.

7 Q. Who would he have been calling? I mean, did you guys have
8 like a little CP set-up or was it the platoon leader or the platoon
9 sergeant in his truck?

10 A. Yeah. Yeah, we just had those short wave radios and they
11 just push-to-talk and all that nonsense. I don't know who it was he
12 was talking to. It might have been Sergeant Hein or Sergeant Duffy.
13 So, all right, "Roger that. Let's get this hole dug." We were going
14 about doing what we were supposed to be doing. BC and his convoy
15 starts coming down the road. "Hey, guys, we got a convoy." The guys
16 in OP1, "We got a convoy. Head's up." "All right. Roger that. BC
17 is coming." His business, not our business. Our business is here.
18 The guys in the OP are doing what they are doing. We are doing what
19 we are supposed to be doing. So, we continued doing that. So, a
20 convoy gets closer. The sergeant says, like from what I remember,
21 "All right. Put your body armor on" just so we have body armor. All
22 right. Put the body armor on, which sucked because in the middle of
23 the heat wave, we are already--you know, even with just a blasted t-

1 shirt on, digging a stupid hole, we are already drenched in sweat,
2 and dust, and grime. If you put body armor on, it just adds to the
3 irritation and all that. So, all right, put the body armor on. We
4 put our body armor on. The convoy draws level to our TCP and stops.
5 It was supposed to--what we heard was it was just supposed to drive
6 past, but it stops. We are like, "Okay, whatever." Suddenly, the
7 guys in the OP say, "Hey, guys, the BC is out of the truck, coming up
8 the hill." [Snaps] By himself, followed by an entourage of a
9 Paktika Afghan mayor, province mayor. So, a big guy. The big shot
10 and his entourage are coming up the hill. He doesn't have any
11 security. He doesn't have anything like that. He comes up with his
12 M-14--or his M-4 and his plates. His body armor and his K-pot. He
13 charges up the hill and he gets to the top. We are scrambling. We
14 are going, "Good grief. We have a battalion commander suddenly up
15 here." So, we are scrambling for K-pots and our weapons to pull
16 security, you know, pull 360 security like we should do. So, we
17 have--we are dropping shovels. We are scrambling for those things.
18 He comes basically as fast as he could and he is in fairly good
19 shape, because that is kind of his point of pride. He like--back in
20 the battalion, he would lead battalion runs. So, he comes charging
21 up the hill; not a very tall hill to begin with. He gets to the top.
22 We are scrambling to get our K-pots on because we are more interested
23 in security up. So, one of the guys throws my K-pot. Well, what

1 happens is, he takes one look at what is--he takes one look at us out
2 of battle rattle. We don't have tools in our hands or anything. We
3 are scrambling to get our weapons. Now, what happen--the actions
4 that happened and I will give you what I saw, and what was going on
5 in my mind.

6 Actions that happened: He gets up there. He sees what is
7 going on. He gets immediately in the face, literally chest to chest
8 with Sergeant Leatherman. In his face. Aggressive behavior. There
9 was no--there was no question--there was no space in his--in what he
10 was saying. Like, he asked the question, "What is going on here" but
11 there was no space in there that--he wasn't expecting an answer.

12 Q. Right.

13 A. He was asking, "What is going on" and then basically
14 asserting--going directly after that and asserting himself as, "I
15 am"----

16 Q. One way conversation?

17 A. Yeah. "All right. Roger that." I am looking--I am
18 supposed to be pulling security, but something tells me that I should
19 watch this. All right. So, I do that because there is, you know,
20 there is open valley in front of me. So, chances of a threat coming
21 that way is pretty minimal; however, what I was seeing was pretty
22 disturbing. And this actually happened after another event happened
23 with the BC and I will explain that later.

1 So, turned to look and I am watching. And as he gets done
2 with talking to Sergeant Leatherman--and the Afghan guys and his
3 entourage are up there. Now, we are directly off--we are directly on
4 like the one patch of the hill that does have graves on the top of
5 the hill. The hill is the town graveyard. And if you haven't seen
6 the graveyard in Afghanistan, they build them--they raise them up off
7 the ground.

8 Q. Right. Rocks, and little flags, and sticks.

9 A. Exactly. It looks like a graveyard. It is obviously a
10 graveyard. So, what I saw was he turns away from Sergeant Leatherman.
11 So, if I am Sergeant Leatherman, he is standing here. There is an
12 entourage of Afghans over here. I am standing here in perfect view
13 of what is going on. [Demonstrating.] He turns around. He faces that
14 direction. He has got his M-4. And what I saw was literally
15 something that you would see a child do. He scrunches up and like
16 does this trembling of anger. And then he steps and kicks, as hard
17 as he can, to the point that his boot toe comes level to his chest,
18 one of the graves. And he hits it hard enough that it dislodges
19 rocks from the corner of it. They clatter down into the ground.
20 Now, I saw that, and because of the way that I grew up, knowing--
21 being aware of other cultures, and traditions, and such like that, I
22 immediately look at the Afghan guys. And because of their culture,
23 the leaders are supposed to not show any type of emotion. But, the

1 guys that were with him, they immediately look to him, their leader,
2 with the look of shock and anger on their faces. And they are looking
3 at him like, "Are you going to do something or what?" And it wasn't
4 until later when I was actually talking to a guy, a Taliban, who
5 spoke some English, and I asked him this: "If somebody kicks your
6 grave, what do you do?" And they tell me, "If they do it on purpose,
7 we are supposed to kill them. If they do it by accident, then we are
8 supposed to tell them not to do it." So, coming from a battalion
9 commander, who has been through--who has sent down the briefs of,
10 "Hey, we are ISAF, International Security Assistance Force. We are
11 supposed to be working with the Afghans. We are supposed to be doing
12 the COIN. We are supposed to be working with these guys. We are
13 supposed to be representing America over here." Now, in America, if
14 you kick graves, we are going to have a problem with it. So, either
15 two things occurred to my mind at that point. Either, one, he did it
16 on purpose, which is going--a direct insult to these people and he is
17 the battalion commander and this guy is the province mayor. And he
18 has seen this guy disrespect something as sacred as a grave. So,
19 either, one, he did it on purpose, which is going against everything
20 that we were taught about trying to work with these people, which
21 goes against everything that America stands for, as far as, the
22 respect that we are supposed to--which was built in our Constitution
23 of liberty. It goes against, you know, what the Army's agenda--well,

1 what we are told the Army's agenda is over there. We are not taking
2 over the country. We are trying to help these people, right?

3 Q. Mm-hmm.

4 A. Or, the second thing is, that went through my mind, was, as
5 a battalion commander, he just lost his temper so badly in the middle
6 of a combat zone, in front of his men, and a prestigious guest, that
7 he didn't know what he was doing. He is a battalion commander who is
8 not in check of his temper, who is going to do something as drastic
9 as that from his inability to conduct himself befitting his rank,
10 befitting his position. And it also occurred to me, after--so, after
11 he does this, he charges off down the trail that takes him to the
12 TCP. Now, that is the last we see of him. After this, what also
13 appeared to my mind was--because we are thinking, "Why in the world
14 did the battalion commander come out here in the first place?" Well,
15 it just so happened that that time that we went out to the TCP, a
16 British photo journalist working for the Guardian decided to come out
17 to the TCP with us. All right. This tiny little Podunk TCP that has
18 got a platoon manning it. It is a complete joke to begin with. And
19 the battalion commander comes out here, why? I am pretty sure he
20 stayed out there for the rest of the day. I wasn't down by the TCP.
21 But, there is a British photo journalist there. And that British
22 photo journalist also took pictures of us. And one of the infamous
23 pictures was of me with a tobacco pipe in my mouth. All right. I am

1 not the only person in military history that smoked a tobacco pipe.

2 I don't smoke cigarettes.

3 CDC: MacArthur.

4 A. Yeah. MacArthur smoked the blasted corn cob pipe that
5 looked ridiculous. And I don't smoke cigarettes, but every now and
6 again I smoke a tobacco pipe, which is completely different than
7 smoking cigarettes.

8 Q. Yeah.

9 A. Tobacco pipes are like cigars. You are supposed to taste
10 it. You are not supposed to inhale it. So, every now and again I
11 would smoke a tobacco pipe. Now, am I embarrassed to admit this?
12 You know, I am embarrassed to admit this, but you know, there is a
13 British photo journalist there. Perhaps I pulled out the tobacco
14 pipe for----

15 Q. To pose a little bit?

16 A. Yeah, to pose a little bit.

17 Q. Sure.

18 A. It happens.

19 Q. Sure. Right.

20 A. You know, it is the camera. It is going to do that. I
21 also knew that the British--you know, it is British photo journalist.
22 The British would have an affinity for that kind of a classic looking
23 thing. So, that was one of the pictures.

1 He also took a couple of other pictures of a guy smoking in
2 a gun turret, which you know, considering we are coming from the
3 military that used to issue in MREs cigarettes, that is not an
4 unusual thing. Smoking on a gun turret during guard shift and it is
5 the blasted grey hours, from going night time to morning, he was
6 haggard. He was trying to keep himself awake. It is not a nice
7 shift.

8 Q. Right.

9 A. So, it is a picture of him standing there. He just looks
10 haggard. He is staring out into his sector of fire. And he has a
11 cigarette in his hands. All right. It looks like a pretty typical
12 war picture to me. There is another picture. There is a few other
13 pictures. Now, that combination of what happened that day, when we
14 get back to the FOB [Sharana], after we finish our shift out at the
15 TCP, we get back to the FOB. Immediately the sergeants are called
16 into the office. The platoon or the batt commander goes off on them.
17 He calls my platoon "child rapists." We are like a bunch of "child
18 rapists." He calls us--our actions were as bad as if we had murdered
19 an entire village in Vietnam. Now, you can go back to 19--what is
20 it, 1968, when over 300 civilians were massacred in My Lai.

21 CDC: My Lai.

22 A. My Lai.

23 CDC: My Lai.

1 A. All right. Pictures and a misunderstood circumstance, and
2 you are going to insult us by comparing us to psychopathic massacring
3 of villagers, women, and children, and rape, and everything else that
4 happened in that period of, you know, that war, and child rapists.
5 And you are going to give us--he pushed out Article 15s for the
6 entire platoon. I signed an Article 15 for that. He demoted the two
7 sergeants that were--Sergeant Leatherman and Sergeant Louis were
8 demoted from sergeants. They were supposed to be demoted. I don't
9 know what happened to them. But, that was what the word was. Now,
10 in my mind, what I saw that day was somebody that was not fit for
11 that leadership, because a real leader would have gotten to the top
12 of that hill and they would have looked at what was going on and they
13 would have known that, "Hey, the safety of my men is foremost concern
14 in my mind. These guys are out of battle rattle in the middle of a
15 battle zone, which is jeopardizing their safety. I need to
16 understand why they are doing this. I need to understand the
17 situation." Because if their well-being is foremost in my mind,
18 getting mad at them, getting in their face, losing my temper, that is
19 not their well-being. Setting an example of a calm-minded,
20 thoughtful person that was going to listen to their men, and figure
21 out what the problem is and correct it, that is what a leader would
22 do. Not losing their temper and causing, you know, a bad image, not
23 only for him, for his men, but for America, because we are there as

1 representatives of America. That is why we wear the flag. That is
2 why we wear the uniforms. We are representing America when we are
3 there. So, instead of being the calm-minded person who says, "Okay.
4 Come over here, Sergeant. What is going on here? Explain the
5 situation so that I understand, because I am seeing some severe
6 safety issues." He doesn't do that. Instead, what does he do? He
7 loses his temper and then he condemns us for it. He insults us for
8 it. He charges us with an Article 15 and he demotes the guys who
9 were doing a common sense thing and who were trying to reduce the
10 risk of heat casualty, who were put into a bad situation to begin
11 with it because the platoon sergeants put us up there on an
12 unprotected, unfortified position, and left us just standing up
13 there. So, I am looking at this whole situation and I am seeing
14 things getting worse. And this wasn't an isolated situation. Before
15 this happened, another thing happened with the battalion commander.
16 So, this incident started as a routine, six-hour mission.
17 We were the quick response force, my platoon. And we were supposed
18 to escort EOD out to a site where an IED had been spotted, blow it
19 up, escort EOD back to the FOB. This was a routine mission that we
20 had been doing for weeks. So, we do this. We accomplish it. We are
21 driving back to the FOB. The mission gets extended before we even
22 get to the FOB. "A platoon up on a mountain plateau has just lost a
23 vehicle to an IED. They can't get the vehicle off the plateau. You

1 need to escort a wrecker up there to get the vehicle." "Okay. Roger
2 that." Our six-hour mission just got extended. So, we drive out
3 there. We get up--we are going up the switchbacks to the mountain
4 plateau. One of our vehicles hits an IED. Thankfully, it is not big
5 enough to blow out the side of the mountain and our vehicle goes
6 tumbling off into the valley. Thankfully, it is not big enough to
7 kill any of the guys in the MRAP. It just disables it. They crawl
8 out and then you have to tow and ram the stupid thing up the tiny
9 little dirt roads to get up to the mountain.

10 Now we are on the mountain plateau and we have two vehicles
11 down. We have one wrecker and the mechanics that went up there with
12 us are looking at the vehicles and going, "They are blown up. You
13 can't--it is not putting a tire on and driving them down." Because
14 that is what they wanted us to do. That is what the orders were.
15 So, we spend close to seven days up there. A routine six-hour
16 mission, we are not prepared for a six-day stay out in the field.
17 So, they had to literally low-altitude air drop MREs and water onto
18 the mountain plateau for us to stay up there. So, we are up there
19 for close to seven days. During those days, there is multiple
20 reports of command is calling up saying, "Hey, you guys, you need to
21 fix the vehicles and drive them down." The mechanics and I believe
22 the LT was calling back going, "They are blown up and the mechanics
23 are saying that they are not going to be able to fix them and drive

1 them down. You can't air lift an MRAP off the mountain." So, this
2 kind of goes on for the next couple of days. We are just sitting
3 there. We are sleeping every--you know, we are sleeping like five
4 guys in an MRAP at night, which is like ridiculous. So, we are just
5 like, "Whatever. We can't do anything. We got bottles of water in a
6 dusty environment." We are just scraping by like we are supposed to.

7 Finally, another platoon gets up there to relieve us with
8 another wrecker and like a more prepared team of mechanics. They are
9 supposed to do whatever they can do. So, we are just supposed to
10 leave. Now, this is a mountain plateau. There is only a few ways on
11 and off. The Taliban, only a few nights before had been--the area
12 where we were at was like an Afghan Police like fort; small, tiny,
13 little cement fort [OMNA District Center]. Prior to us getting up
14 there, the Taliban had attacked that fort in the night. So, there is
15 Taliban in the area. The IEDs on the road are proof of it. There is
16 only a couple of ways on and off. The Army scouts find another way
17 off, which is one of the sketchiest things that you can take an MRAP
18 over. So, that is what we are supposed to leave over.

19 We go up another pass. We make it up over the mountain
20 pass. Thankfully, the Taliban aren't smart enough to place IEDs
21 where they could have placed IEDs, because they would have put our
22 trucks down the mountainside by just a tiny little popper. So, we
23 get up and we get to the other side of this mountain pass. We are

1 going down. We have got a wooded mountainside directly next to us on
2 this road. Literally, maybe 8 feet, 10 feet away from the trucks. A
3 command wired IED blows up the EODs vehicle; sets off a complex
4 attack because we got--I heard RPGs going across, because rocket
5 engines make a very specific noise. There was bullets that were
6 burning through a quarter inch plate. Now, typical AK-47s aren't
7 going to burn through a quarter-inch steel plate that is on an MRAP
8 and neither is an RPK. Possible chance, the better suggestion is
9 that they had some funky rounds out there that were probably coming
10 from China or Russia, or whatever that was, some kind of homemade
11 armor piercing. It is not that hard to do. So, the EOD vehicle is
12 directly behind the lieutenant's vehicle. The lieutenant used to be
13 an RI, Ranger Instructor.

14 So, what happens is the lieutenant and the guys in his
15 truck dismount in the middle of the firefight, to hook up the tow bar
16 to the EOD's vehicle to get them out of there. Well, we have got a
17 wooded hillside on one side. We got a bunch of--we have got a river
18 bed on this side and more rocks and woods over on this side.
19 Completely open, except for the wood. The Taliban are literally
20 within 12 feet of us, behind the trees, directly next to us, firing
21 at us. We have got guys--I am in the front truck. And there is guys
22 going across the road in front of us firing AKs at us. This is a

1 full on firefight. The lieutenant dismounts once with his guys,
2 hooks the tow bar.

3 CDC: This is on the Mesa or on the way down?

4 A. This is on our way down.

5 CDC: Okay.

6 A. In Afghanistan, there is always more up and there is always
7 more down. It is ridiculous mountains. It is just ridiculous
8 terrain.

9 So, the tow bar comes off. So, he has to dismount a second
10 time. They hook it up. We get it hooked up. Suddenly we have air
11 support over head. The firefight dies off. We pull and ram the
12 EOD's vehicle out of that area off into the road. And by this time,
13 nighttime is upon us. We don't lose anybody. The two IEDs that we
14 hit, nobody gets hurt. Nobody gets killed. The complex attack,
15 nobody gets hit. Nobody gets hurt. We survived it. We make it into
16 the night. The next morning we get met by another platoon and a
17 wrecker. They pull us into the FOB. Now, we get to the entrance of
18 the FOB and our convoy stops to make its typical check at the FOB
19 entrance. Word comes down through the radios that the BC, the
20 battalion commander, was waiting for us. Word immediately comes down
21 that the first words that came out of his mouth were not, "Good job
22 out there." Were not, "Hey, you didn't lose anybody. I am proud of
23 you guys. Good job." It wasn't, "Hey, how is everybody doing? Is

1 everybody okay? I know that you went through a few things. Is there
2 something that you are not putting out over the radio?" It wasn't any
3 of this. There was no concern for his men's well-being. The first
4 thing that came out of his mind, as it came down the line and the
5 radio was, our platoon sergeant stepped out of the truck onto the
6 ground and the BC said to him, "What, you couldn't shave?" His main
7 concern was that after our extended mission for six-days, after our
8 two IEDs and a complex attack, after making it back finally, after
9 all this mess, his main concern was the fact that, as Soldiers, we
10 didn't think it was important to pack a shaver and shaving cream.
11 And, as Soldiers, who are living in the back of an MRAP, in a dusty
12 environment, sweating our asses off, it probably wasn't a good idea
13 to cut your face open to begin with, because you are probably going
14 to get an infection. That was our least concern at that point, as
15 well as the fact that we didn't--when we are carrying already 100
16 plus extra pounds of weight, an extra shaver and shaving cream,
17 trying to jam that into our packs, isn't going to be our main
18 concern. It is not going to be our main priority when it comes to
19 packing our assault packs and getting ready to go out into a combat
20 zone.

21 His disgust for it was so prominent apparently that when we
22 got back to the barracks, the first order wasn't, "Go gas up the
23 vehicles and prep them." The first order wasn't, "Download all the

1 weapons and get them cleaned and prepped for the next mission." The
2 first order wasn't, "Hey, guys, go get a warm bite to eat. You did
3 good out there and now we can finally relax." It wasn't that. The
4 first order was, "You guys who haven't had a shower and you have
5 about six days of grime all over your bodies, you need to go wash
6 immediately." Or, you need to go, not wash, "You need to go shave
7 immediately." Not shower and shave. Not wash your faces off. "You
8 just need to go shave immediately." So, we had to go shave
9 immediately. I was looking at myself in the mirror and I have like
10 a ring where my eyes are and the rest of it is just dirt. So, that
11 situation happened. And I was like--that was the first interaction
12 that I heard from the BC. Okay. If that was an isolated situation,
13 all right. Understood. He had issues with the way we appeared--our
14 appearance. Okay. Fine. What it looked like to me was, he was more
15 interested in treating this war zone as his personal fashion show and
16 not having any concern for the welfare of his Soldiers. Okay.
17 Isolated situation. Let it go. But, it is still going to sit in the
18 back of my mind. And it is adding up at this point. So, that was
19 the set up to what happened at the TCP.

20 Q. Right.

21 A. And the TCP was a setup to what happened when we got back
22 and the Article 15 that I had signed.

23 Q. And that was at Sharana?

1 A. That was at Sharana. Now, at this point, I am thinking
2 seriously of going Special Forces. I had gone to one of those
3 recruiting meetings before I deployed from Richardson. Now, there is
4 a joke that in order to join the Special Forces, you have to have at
5 least one Article 15. That is their joke. You know, here I am
6 getting an Article 15 because he is judging us for his own--he is
7 basically kangaroo court out in the field. He is insulting us. He
8 is--for pictures and a miscommunicated and misunderstood situation,
9 now we have Article 15s, on top of the insult that he decided that we
10 deserved for his own misinterpretation and his own lacking of
11 leadership skills.

12 So, all of these events piled up onto each other. And this
13 was the climax. The Article 15 was the climax of it all. Things
14 were getting bad. And it was only going to get worse as Nascimento
15 told me. But, like one night, Nascimento was guarding the trucks at
16 the FOB. And I went out there and I told him, "Hey, at least things
17 can't get any worse." And he shook his head and he said, "No,
18 everything can always, always get worse." And he was right. And I
19 saw that happening. And I saw things after that, after the Article
20 15s, basically everything--you know, it was--I believe the first
21 sergeant was going to get replaced by another first sergeant and
22 things were happening. And what I was looking at was--now, I am
23 going to pause really quick here and do a hindsight 20/20.

1 Q. Okay.

2 A. A young PFC, private, first deployment. First--his
3 experience in the Army. That is what I was looking at. All right.
4 I was looking at my immediate surroundings. I wasn't looking at,
5 "Well, this is just 501st Airborne unit." I was just looking at my,
6 you know, I was--you know, like generally comparing the 1-501st to
7 the rest of the Army. That is kind of what it came off as. Instead
8 of saying, "Well, this is just this unit. This is just this
9 command." My experience of the Army, my understanding of the Army
10 was very limited. I was a PFC. This was my first time. I didn't do
11 the research in all of the things that you can do. JAG was a
12 Hollywood idea or military law was a Hollywood idea. I didn't really
13 know how that worked. The only thing I knew about my command was,
14 you go up through the command and it is open door policy. Right.
15 That is all I knew. So, what I was looking at was, from a PFC's
16 perspective. And I will admit, honestly, an ignorant, young man, who
17 had a lot of ideas. He was seeing what he was seeing. And, you
18 know, impatient, and somebody who doesn't like standing by and not
19 doing something about something. Not doing something about a
20 situation that needs to be corrected or that needs something to
21 happen. That is what I was seeing.

22 Now, my platoon was suddenly taking fire from the command.
23 My guys that I--my friends that were on that platoon were dealing

1 with bullshit from our sergeants in that platoon. Our first sergeant
2 didn't care what was going on. From my impression of the guy, he was
3 there for a paycheck. Whether or not that was true or not, I don't
4 know. But, from my impression, that was kind of what, you know, he
5 wasn't--he didn't seem to be interacting the way that a first
6 sergeant should. What it was--I don't know. What his issues were, I
7 have no idea. Maybe that was just the way he thought he should be a
8 leader or a sergeant.

9 So, I was looking at this situation and I was seeing it
10 getting worse. My mind goes into simulation mode and I am looking at
11 worst case. I am looking at, "Take the issues here and what could
12 happen?" What could happen is this battalion commander could see us,
13 my platoon, as this stain on his reputation. Now, sending us on a
14 suicide mission wouldn't be the first in military history. Somebody
15 doing--somebody giving out an order on personal agendas or off of
16 personal grievances, it is not going to be a first in military
17 history. So, worst case scenario, what happens? Well, when I first
18 got to the unit in Afghanistan--when I first got to my unit in
19 Afghanistan, we were supposed to go on what could literally be
20 considered a suicide mission in that terrain. My first day, like my
21 first days there, we were supposed to go on a dismounted assault on a
22 mountain stockade, a mountain fort or something where there is
23 supposed to be Taliban. All right. What we were supposed to do:

1 were prepping for this mission. We are literally at the prepping
2 stage, packing our assault bags and getting ready for it. We were
3 told, "MREs for two days, extra water for two days, extra ammo all
4 into your assault packs. All into your assault bags that you are
5 going to carry on your back." Now, the amount of water, and the
6 amount of food, and the amount of ammunition that you can fit into an
7 assault pack is a lot. But, it is, in that terrain, I will tell you
8 right now, in the middle of the summer, with 100 plus pounds of extra
9 gear, you are going to be sweating so badly in a ruck march, in just
10 regular ruck march down the road, you are going to be sweating so
11 badly that the amount of water that you can fit into your assault bag
12 isn't going to be enough. We are in Afghanistan. We are dealing
13 with not only a heat wave. We are dealing with elevation. All
14 right. Not all of our guys--you know, we are not the Ranger unit.
15 We don't have the top of the elite of the elite PT scores. We have
16 got Howard. We got, you know, we got all these guys. Even Logan who
17 was, you know, he is a power mule. He lifts huge weights. His
18 endurance is only so much. He is carrying a huge amount of weight
19 with his body weight and he is a SAW gunner. We were supposed to
20 assault. I don't know the exact mileage, but it was something like--
21 it was an eight-mile ruck into the assault point on foot, through the
22 mountains. Assault on the target and then like a four-mile ruck out
23 to pick up zone. In that terrain of Afghanistan, with all that

1 weight, with guys who are not ready for this, who are not capable of
2 it, that is a suicide mission. The Taliban are going to catch wind
3 of it and they are going to have the full advantage of setting up an
4 ambush from higher ground. You have got a whole bunch of guys who
5 are exhausted because they have all this weight on their bodies and
6 it is the middle of a heat wave in the summer. We have enough to
7 deal with and suddenly we are going to be thrown into a situation
8 where people are going to be trying to kill us. The full advantage
9 is the home advantage and that goes to the Taliban. And we were
10 assaulting an actual target. So, that meant that there were Taliban
11 in that area. So, even if they didn't have the means to set up an
12 ambush on our eight miles, how many hours is that going to take?
13 Then, if they don't have the ability to do that, then on the four-
14 miles out, they are going to have full ability to do something there.
15 So, it was literally, from what we were looking for, or from what I
16 was looking at, and what the rest of us were looking at, was
17 literally, we are prepping for a suicide mission. This is stupid.
18 It was called off. Thankfully, it was called off.

19 Q. Do you know who called it off?

20 A. I have no idea. So, that was prominently in my mind later
21 down the road when I was thinking, "What is going to happen?"

22 CDC: Why was it called off?

1 A. It was just called--we were just told that it was called
2 off. And everybody assumed it was called off because it was just a
3 stupid idea.

4 Q. Had it begun and then pulled back? Or, before----

5 A. Our prepping for it----

6 Q. Before execution?

7 A. Yeah, before--we were never moved from the FOB.

8 Q. Yeah.

9 A. It was in our prep for it that it was called off. And
10 everybody simply assumed because it was just a stupid idea. Even the
11 privates knew it was stupid idea. It just made no sense. But, the
12 problem was, we were actually prepping for it.

13 Q. Right.

14 A. Which meant somebody thought it was a good idea.

15 Q. Was it a company movement? Or was it a platoon movement?

16 A. It was a platoon movement. Well, from what I understood,
17 it was a platoon movement, but it could have been a company movement.

18 Q. Okay.

19 A. So, later on down the road when I started thinking about
20 things, that came into my mind. And I was like, "Who? It had to be
21 the battalion commander. It had to be somebody up there who thought
22 that was a good idea." So, now suddenly, he has a personal grudge
23 against my platoon. What is going to stop him from doing something

1 like that? Who is going to stop him? Well, is sergeant major going
2 to stop him? Well, the sergeant major is playing the same game.
3 Sergeant major was one of the guys who signed off on the demotions of
4 Sergeant Lewis, or Louis, who was up there on the OP. So, from what
5 I could see, the sergeant major was playing the same game and the
6 sergeant major was also the guy who said, "Well, I joined the Army to
7 rape, pillage, and kill." Well, that is kind of a pretty good
8 discernment of what kind of character you have. So, I was looking at
9 that. I was looking at, you know, what can Captain Silvino
10 [phonetic]. Captain Silvino was a good guy, but he is a captain.
11 What could the first sergeant do? Well, the first sergeant doesn't
12 seem to care and he is just--this is his last deployment and he is
13 out of the Army. So, he is not going to want to do anything to rock
14 the boat for himself and he is certainly not going to put his rank
15 out on the line. And then I looked at my immediate command. What
16 are the sergeants going to do? Well, they just got in a huge amount
17 of trouble and they just signed the same Article 15 that I signed.
18 They are not going to do anything. They are not going to say
19 anything. They are just going to try to dip below the radar. So,
20 what I was looking at was, I was literally looking at from everything
21 that has piled up in the back of my mind as far as my immediate
22 command conducting themselves, all the impressions I got from the
23 command above me. I was looking at, "Well, what do I have?" I have

1 open door policy and I am supposed to go up through my chain of
2 command. From what I was seeing was, the battalion commander, his
3 ability to hold that position was extremely questionable. Whether it
4 was his character or whether it was, I don't know what. But, he
5 needed to be--from my mind, he needed to have an evaluation. And
6 there needed to be some kind of action, such as an investigation, as
7 to whether or not these problems needed to be so drastically fixed as
8 that these guys were pulled out of their positions and replaced.
9 Something needed to happen. Now, from my point of view, as the PFC,
10 the options that I had was if I wanted something to happen I needed
11 to go to somebody above. He is the battalion commander, so above
12 would be a general. All right. So, I imagined, here is a PFC just
13 new to the Army who is apparently, from the Article 15 that I just
14 signed, apparently I am a shit bag, and I am going to walk into a
15 general's office and say, "Sir, as a PFC, the battalion commander and
16 all these other guys are unfit for their duty. They need to be
17 removed from this duty. They need to be psychologically evaluated
18 and they need to be--an investigation needs to be launched." From my
19 side, from what I could see, what is the general going to do? He is
20 going to say, "Roger that." I am going to leave the room and go,
21 "[Laughs] Yeah, right. He is a PFC and he is coming in here telling
22 me that the battalion commander isn't fit for duty. He just got into
23 the Army, this PFC. He is nothing." He is going to call up his

1 buddy, the battalion commander, and say, "Hey, what is going on?"
2 The battalion commander is going, "Well, that is the guy that I just
3 gave an Article 15 to because he was out of uniform and he was doing
4 this, and he was doing this, and he was doing this. And he is part
5 of this platoon that I gave an Article 15 to the entire platoon."
6 What is the general going to--what conclusion is the general going to
7 come to? He is going to say, "Well, that PFC is just butt-hurt for
8 some stupid reason and I am not going to listen to him when I have a
9 battalion commander who is saying, 'Well, officially--.'" He has the
10 fancy speech of being able to say, "Well, this platoon's showed
11 misconduct and I gave them Article 15s and that is why they have a
12 problem."

13 So, I was looking at that and I was going, "That was my
14 option. Nobody is going to listen to me. Nobody is going to say
15 anything. Nobody is going to say anything." And if I go to my squad
16 sergeant, if I go to my platoon sergeant, if I go to the higher
17 commanders that are under the BC, they are not going to do anything
18 because they don't want to rock the boat. But I was looking at a
19 situation that could very easily go south. Like worst case scenario,
20 we get sent on a suicide mission. But, all right, but what if?
21 That is one thing. What if this guy isn't fit for his duty? Then
22 what happens? I keep quiet and I don't say anything, and this guy
23 gives an order that sends my platoon out into the field and that

1 order is literally a stupid order that gets one of my guys killed,
2 one of my friends killed. And the reason why he was killed wasn't
3 because the Taliban succeeded. The reason why he was killed because
4 the bad order came down and we were placed in a bad situation, and
5 they died because of that. So, I was looking at that and saying,
6 "How am I going to feel if down the weeks or a few weeks down the
7 road, I am looking at the dead body of my--or not even a body, you
8 know, if we can find enough of it. I am looking at the dead body of
9 Howard, or Lanford, or Sergeant Sauer, or Nascimento. And I am
10 looking at that and I am looking at the situation going, "If someone
11 had done something beforehand and called this into check, they would
12 still be alive. You can't [let that happen,] you know, when you have that
13 possibility in the future, you go along the lines of better safe than sorry.

14 So, I had to come up with some plan because I knew nobody
15 else was going to do anything about it. Everybody else was going to
16 keep their heads down and just try to ride it out. That is what you
17 are supposed to do. You are an 11B, hooah. You are supposed to
18 suck it up. But, from what I was looking at, I seriously saw a
19 threat. I seriously saw the possibility of something going wrong.
20 And I saw that somebody needed to do something about it. Somebody
21 had to do something that called the situation into check. Now, I am
22 not--the way I was raised was, if you want a job done, do it
23 yourself. Or if you want a job done right, do it yourself. You

1 don't [not do something]--you know, you pull your own weight and you do what
2 you are supposed to do when you look at it. The advice I got from the guys
3 when I came in, they told me exactly that. My sergeant, my senior
4 drill sergeant, told me exactly that. In so many words, he basically
5 told me, "You know what, you need to be aware of all your
6 surroundings. You need to do your job, but your job consists of
7 protecting your guys next to you. Your job consists of their well-
8 being. It is your team. You are going to a combat zone. This isn't
9 playing around. People die on this. You need to be awake and you
10 need to be alert." And, you know, one of the things that Drill
11 Sergeant Olivera always said was, "The more you sweat in training,
12 the less you bleed in combat." In other words, the more you train in
13 understanding what your job is, the less you are going to bleed in
14 combat. And I understood what my role was. Not only am I a Soldier
15 here, but I am also a citizen of America. And that means, their
16 well-being goes [beyond the immediate moment], you know, my concern isn't
17 just for my immediate surroundings. It is for the bigger picture. Army is
18 America's Army. It is not the general's Army. It is not the captain's Army.
19 It is America's Army. So, as a citizen of America, I have that duty as
20 well. To make sure that--you know, someone would say, "You are just
21 a private. You don't have the authority to be questioning your
22 higher ranks." Well, as a private, perhaps--you know, as a private I
23 do have the right to question something that is coming down, because

1 if you are--if it comes to, well, following an order even if it goes
2 against common sense? The first thing that Drill Sergeant Olivera
3 taught me was, common sense. You have to have common sense, because
4 in a battlefield, you have to adjust fire. You don't always have
5 somebody there telling you what to do. You don't have somebody there
6 walking you baby steps through a battlefield. You have to use your
7 own wits about you. You have to use your own common sense to get the
8 job done in that situation.

9 So, from what I--so, as a Soldier, I had--yes, I had to
10 follow orders. But, as an American citizen, who is--you know, who
11 pays for the Army's--for all the services. As an American citizen,
12 my concern is also to make sure that the bigger picture is also
13 called into check. The American people, the United States government
14 is of the people and for the people. That is what sets us apart from
15 the rest of the world. That is why we removed ourselves from the
16 royal leadership of Britain. [It] was because we understood that it
17 was the people who needed to be in control of the people. And the
18 people needed to be in control of their country. And the government
19 was for the people and of the people, working for the people and for
20 the benefit of the people, because America is the people. We are
21 supposed to be overseeing what is going on. It is not the
22 politicians. The politicians are tools. The American people vote.
23 The politicians take that vote and they implement it. It is the

1 people who are in control of America. That is what sets us apart.
2 So, in this situation, I was looking at this. I am not someone who
3 is going to say, "Well, just let somebody else deal with it,"
4 especially in a situation like that. That could very easily lead to
5 somebody being killed. So, I had to come up with a plan. And the
6 plan, you know, I ran out of lines from my knowledge as a PFC, from
7 my knowledge as a young man. The only thing that I could see was, I
8 needed to get somebody's attention. The only person who is going to
9 listen to me is somebody who has a reason to listen to me. And the
10 person whose attention I need to get was going to have to be somebody
11 who is of a higher rank than the battalion commander.

12 Now, I am not going to go to the media because I don't like
13 the way the media does things. I have never liked the way the media
14 does things. All they are interested in is a bunch of drama and a
15 bunch of scandals and making money. So, I am not about to go out
16 there and start ringing up the media so that I can start embarrassing
17 the Army. All right. I have problems with what is going on in the
18 Army, but the Army as an institute, what it was founded on and why it
19 was founded, the Army was to protect America's Constitution. And
20 the Constitution stated liberty. The Constitution stated freedom.
21 That was why America was built. That is why we came to this country
22 and why we fought the wars that we fought to remove ourselves from
23 Britain. That is why we fought how we did. You know, the values

1 that this country stood for. That is what brought about the Civil
2 War. The people who--the people divided. These people had a problem
3 with liberty, and justice, and freedom. Because if you look at the
4 literal definitions of these words, slavery, or any inequality,
5 women's inequality, anything like that, goes against those words.
6 So, the country divided. And the two sides--now, I wasn't in the
7 Civil War, but the two sides, they had their points of view of how--
8 which direction America should go in. This side had their views and
9 this side had their views, and they felt so strongly about them,
10 about these views, that they started a war, the Civil War. The Civil
11 War was because of the weapons that we used and because of the
12 tactics that we used, I think it was the most bloodiest war in
13 history. I think. I could be wrong. But, they were Americans.
14 And America was built with ideology. It was built on these ethics.
15 And there was, of course, going to be interpretation to these ethics.
16 Now, the Civil War wasn't just about slavery. That was a flashpoint.
17 It was about a lot of other things. And I am not going into that or
18 this is going to be a history lesson. But, it just shows you that
19 Americans have been fighting wars as the America's military to defend
20 what America was built with. That was the Constitution. That was
21 the ideology behind it. Unless you want to go put a giant sword in
22 the back of the Statue of Liberty as a symbol of stabbing the idea of
23 liberty in the back, I am fairly certain that the Statue of Liberty

1 still stands for the basic principles of what this country was built
2 on.

3 Now, do I have--so, the Army, as what it was built for, the
4 Army as what it was founded on, if you look at the creeds, if you
5 look at the oaths that are taken coming into the Army, before you put
6 on the rank, before you assume the positions, if you look at these
7 oaths, you look at the ethical morals that are instilled in these
8 oaths, okay, there is nothing wrong with these, because they are
9 moral, you know, ideologies. They are moral guidelines. Now, in my
10 unit in Afghanistan, the problem that I was having was not with the
11 Army. Now, I was making, unfortunately, there are some comments that
12 I made in a very general sense that included the Army, that basically
13 took you--I stated things in such a way that I was almost stating
14 that the entire Army was messed up. And I was saying that because if
15 it was in my unit, all of this stupidity happening in my unit, then I
16 am going to guess that there is a good chance that it is everywhere
17 else too. So, the Army as an institute, I have no problem with
18 because of what it was founded on and for. What I had problem with
19 was, and this is what I was seeing at this point in time, was how
20 things had progressed. You know, suddenly people aren't--you know,
21 the ranks are suddenly filled with people who are more interested in
22 a paycheck or a patch of power than they are into the ethical--into
23 creeds of ethics and values that state selfless service and main

1 concern is the well-being and welfare or well-being of my Soldiers
2 and the people. All right. The people aren't--the ranks are filling
3 up with basically people who are filling their pockets or people who
4 just wanted to walk around with this patch on their chest and feel
5 good about their ego. And that is what I was seeing. And that is--
6 and from my experience with the recruiters, who happily did what they
7 did, and I allowed them to do it, all the way through my unit. I
8 lost it in basic training because of Drill Sergeant Olivera; however,
9 I saw it in other platoons and I saw it around me. Like a couple of
10 guys in my basic training were taking--at the end, we found out that
11 they were taking some kind of muscle supplement. Like steroids or
12 something like that. And they are selling chewing tobacco, other
13 things. You know, so I saw that there. And then when I got to my
14 unit, it just--that little safe haven. That little glimpse of, "Hey,
15 this is how the Army should be," that all fell apart. And it all
16 just snowballed all the way up until this moment.

17 And here I am, a private first class, standing in
18 Afghanistan, a war zone. We have been blown up. We have been shot
19 at. We have made it through and I am looking at these guys that are
20 sitting next to me, and my main priority is getting them home, but do
21 our job here. I mean, we should have been doing a better job here.
22 There is a lot of things that we didn't do that I thought we should
23 have done. But, again, this is just a private first class looking at

1 things. And how, hindsight 20/20 understands--I understand that
2 there has to be certain units or certain elements that are security
3 based and they have to hold a piece of ground in order for the other
4 units, such as Rangers or Special Forces, to then be able to hit
5 strategic targets. I understand that now. But, as a private first
6 class, I was having a problem seeing the bigger picture. What I was
7 looking at was me and my unit. And I was thinking, "You know, well,
8 if we are going to make a difference here, we need to be going out
9 there. We need to be conducting house to house searches. We need to
10 be going after these targets." I understood that. But, at the same
11 time, I also understood that there is Taliban and the people who
12 support them, but then there is just average, everyday Afghans that
13 are just people living in a third world country in extremely bad
14 conditions and they have been doing it for decades because their
15 country seems to be a hot spot for, you know, extremism and bullshit.
16 So, I also understood that, you know, we needed to treat these--there
17 is people here that are just people and we need to help them. That
18 was the reason why we were supposed to be ISAF. The reason why we
19 were supposed to be working with them, was because there was people
20 there that we should be helping. And there were people there were
21 our enemies. So, instead of giving the people that are there, that
22 we are supposed to help, complete reasons not to trust us, by not
23 doing anything about the people that we were supposed to be getting,

1 instead of giving them that [reasons not to trust us], then we should be
2 doing what we are telling these guys that we are here to do, then we should
3 go out and do it.

4 Q. Okay.

5 A. And as a private first class, from where I was standing, I
6 wasn't seeing that. And as a private first class, where I was
7 standing, I was seeing around me all this just stupid bullshit. And
8 I was seeing things heading in a very dangerous direction. So, I had
9 to do something. It had to be me doing it. And so I came up, happily
10 with my ignorance of a young--from a young man's mind and my
11 imagination, I came up with a fantastic plan.

12 One of the things that I talked about with one of the guys
13 was "DUSTWUN" because I saw it written somewhere and I said, "What is
14 DUSTWUN" because I didn't know what DUSTWUN was. And he said,
15 "DUSTWUN is what is called out when a Soldier is taken or when a
16 Soldier disappears or is taken." And I knew--so, I knew that if
17 DUSTWUN was called from a Soldier disappearing, that call goes not [only]
18 all the way up to Army command, it goes to Air Force, it goes to
19 Marines. It goes all the way back to the states. It goes to every
20 high point and everybody finds out about it. So, the idea was--the
21 question--the theory started out like this: What happens--if that
22 happens when a Soldier disappears, then that can be utilized.
23 Because I was looking at an environment. We were 10 to 20 miles

1 away. This TCP [COP Mest] was 10 to 20 miles away from the FOB
2 [Sharana]. It was flat ground. I grew up on high altitudes. So,
3 high altitude doesn't affect me. I can run at high altitude. I can
4 cover ground. You know, I had the PT down. I was going to go
5 Special Forces. So, I had the physical ability. So, I was looking
6 at the environment. Flat ground all the way to the FOB. The idea
7 was simple. The security at the TCP was crap. There was weak points
8 everywhere. And nighttime was just, you know, I have been on guard
9 shift at that place. Your visibility is like next to nothing on a
10 good day. The whole setup to that thing was just--it was a joke.

11 So, the theory was, what happens if somebody leaves the
12 wire at the TCP, runs or moves to the FOB? Well, during that time
13 DUSTWUN is going to be called up. Something is going to happen,
14 right? That guy disappears. No one knows what happened to him.
15 That call goes out. It hits every command. Everybody goes, what has
16 happened? Nobody knows what has happened. People come up with all
17 their theories and people happily use their imaginations to fill in
18 all the blanks. But, what is going to happen--what, you know, what
19 is going to lead the situation is actual events. The actual events
20 would be, a Soldier disappears. And then a couple of days later,
21 actual events. DUSTWUN gets called up. An alert gets sent out.
22 Actual event a couple of days later, or a day later, whatever it is,
23 24 hours or more, however long it would take me, the Soldier shows up

1 at the FOB. From TCP to FOB. People get that guy. He shows up at
2 the gate. People recognize him. They ID him. They go, "What did
3 you just do?" And that Soldier says, "I am not saying anything about
4 what I did until I am talking to a general." Then that Soldier, you
5 know, gets taken to the general or general--because general wants to
6 know what is going on, because this guy just left the fort--he just
7 left the wire by himself. DUSTWUN gets called up because of it. He
8 wants to know what is going on. And suddenly, this private shows up
9 and he is demanding to see a general. So, a pretty good guess that
10 the general is probably going to be curious and want to talk to this
11 guy. Especially open door policy, this private is demanding open
12 door policy. "I want to see the general." Go talk to the general,
13 the general goes, "What did you do?" Well, suddenly, he has a reason
14 to listen to me. Because if I am willing to risk leaving the wire at
15 a defense point, in the middle of a war zone, that we have been
16 attacked at, that we have been blown up at, on multiple occasions, if
17 this guy is willing to risk doing that, and then shows up again at
18 the FOB, he is going to want to know why and he is going to want to
19 listen to this guy. And he has a reason to do it, because this guy
20 has gone out of his way. He has risked his own personal safety. He
21 has to have a good reason for it. He is going to ask me, "Why?" He
22 is going to ask that person, "Why?" That person is going to say,
23 "Sir, these people, the BC, the sergeant major, they are unfit for

1 their positions from what I have seen. On multiple occasions, they
2 have done this, this, this, and this. I am demanding, as a Soldier
3 of this Army, that a psychological evaluation and an investigation be
4 launched into this unit to remove anybody who is unfit for their duty
5 and to reestablish the safe procedures and guidelines that a real
6 leader, real officer, or real NCO should be emplacing in a military
7 unit that is in the middle of a battlefield." Suddenly he has a
8 reason to understand. Suddenly he has a reason to believe that he
9 should be listening to what this guy is saying. Because if he thinks
10 that the threat that is coming down from above, if he thinks that
11 there is a threat big enough around here, that he is willing to do
12 something like that.

13 All right, now everyone is going to say, "I am on"--
14 obviously, I have heard--you know, you read out the charges. People
15 have talked about desertion. People have talked about treason or
16 whatever it is that they want to talk about. They want to talk
17 about, "Oh, he was a sympathizer of the Taliban." All right. You
18 look at their ideology and what they are doing and you look at my
19 character. And you want to ask me questions about that, I will
20 happily talk all day about the joke of what they are [the Taliban].

21 All right. I am, for lack of a better word, a feminist. I
22 fully believe in women's equality. You have met Kim Harrison. I
23 call her my "God mother" because that is the type of person that I

1 find as, you know, a senior role model. She is that type of person.
2 I fully believe in that. So, sympathizer to the Taliban is a
3 complete joke and you can talk to me all day about it and I will
4 happily rip it up one side and down the other, and leave it
5 completely lacking in any theories.

6 Part of the theory that went along with the plan, and the
7 reason why I ended up believing that it could happen, that it would
8 work was, there was a safety net; the safety net that would cancel
9 out any charges of desertion. That safety net was, one, if I wanted
10 to leave the Army, everybody knows you take--you know, do something
11 like you take a grenade into the hospital and tell them to take you
12 home. Or, two, you just stop doing what you do. All right. If you
13 want to leave the Army--or you go on mid-tour leave and you just
14 don't come back. There is other ways. If you wanted to leave a war
15 zone, there is safer ways of doing it than walking past the only safe
16 line there is and into the war zone by yourself. All right. You
17 would have to be completely stupid to think that you could desert in
18 the middle of a war zone by stepping over the only thing that is
19 basically your safety.

20 The other safety net was the mountains. We were on a
21 plateau. It was a very flat plateau, but the mountains to the north
22 of us or the south of us, I believe, were the mountains from Pakistan
23 and Afghanistan. Now, you know my history. I have grown up in

1 Idaho. I know mountains. The mountains there are ridiculous. I
2 grew up reading maps. I know what maps look like and I know how to
3 interpret what I see on a map into reality. Now, I looked at the FOs
4 map, the forward observer's maps when were at the FOB and the
5 observation post. I looked at his maps. My first thing that I saw
6 was it is insane, the terrain. All right. The British map makers
7 who made that border did it for a reason. It was a strategic--
8 militarily strategic reason because that mountain range was the
9 perfect natural barrier to any military incursion from the Russians.
10 That was the point, for a reason. You look at a map that the FO has
11 and you see the ridiculous insanity of that terrain. I mean, it is--
12 all right.

13 Now, the safety net to that is, "Oh, he is deserting. He
14 is going to go to Pakistan." A person on foot, with nothing more
15 than the water that they could carry, with no map, but maybe a
16 compass, in the middle of a war zone, in the middle of country they
17 don't speak the language of, even if they had all of these together,
18 a person on foot going through, by themselves, that mountain and
19 terrain, is dead. They are never going to make it to the other side.
20 You cannot, in that heat, in that climate, in that country, where
21 there is towns like--there aren't towns that you can just go to a gas
22 station and fill up water. And the water in that country is--one, it
23 is completely close to non-existent. It is mostly underground.

1 Afghanistan, there is plenty of water. It is all underground. The
2 water that is on the surface is putrid filth, that you would
3 basically killing yourself to drink the stupid stuff. Another reason
4 why they have so many health issues there in that country.

5 So, the safety net was, any person who had any sense in
6 their head, who had the ability to either read a map, who had the
7 ability to understand terrain, who had the ability to understand the
8 human limitations and reality of these human limitations would have
9 to draw the conclusion that I drew. And that person on foot trying
10 to go through those mountains is not going to make it. Now, you
11 could say that, "Well, you are just too stupid to understand that."
12 My safety net again would be, I grew up in those type of mountains in
13 Idaho. I grew up understanding those maps. I grew up understanding-
14 -I am more comfortable out in the wilderness than I am in the city.
15 And my history, my past, my childhood proves that. So, anybody
16 trying to prove that, "Well, you were trying to go over these
17 mountains," you would have to prove that my entire character and my
18 entire experience didn't exist and that I was a complete joke; that I
19 didn't know what I was talking about. You want me to prove myself,
20 let's go out in the mountains and I will prove it.

21 So, that was my other safety net that said, in that area,
22 you know, Afghanistan, not just those mountains, is ridiculous. You
23 know, the reason why Afghanistan has yet to be, you know,

1 successfully conquered, except for Genghis Khan, and he did it because
2 he just annihilated everything. The terrain is, you know, it is not
3 the Taliban that are winning. It is the terrain that are happily
4 creating all the funnels that make it so simple that a monkey could
5 go out there, dig a hole in the road, and put explosives in it. That
6 is the biggest thing that we have had to deal with. It doesn't take
7 a genius to know that that one road that they have to keep going up
8 is perfectly offset from this other mountainside and alls we have to
9 do is sit up there with RPK and RPG and wait until they come back up,
10 and put a couple of IEDs down there. It doesn't take a genius to
11 figure that out. Thankfully, for them. Because I have met them.
12 And they literally think that if they fire their AK-47 at a base that
13 they can see 10 miles away that their bullets are by God's grace they
14 are going to make it there and hit somebody. These people aren't
15 geniuses. They are very crafty and they can adapt, and they can
16 overcome. And they can adjust themselves. But, it was not them that
17 was winning the, you know, it is not them that was causing the
18 biggest problem. It is the natural terrain that allows them to do
19 what they do.

20 So, the safety net of, "Well, you were trying to desert."
21 All right. One, you have to be a complete moron to think that
22 deserting in the middle of a battlefield in that kind of terrain was
23 going to bring you success. Making it to China, making it to

1 Pakistan, the distance is what? You know, it is ridiculous. You
2 can't cover that distance by natural physical body. I mean, the
3 people that used to travel the Silk Road had caravans where they came
4 from. Caravans of pack animals that carried everything with them.

5 So, the ideas was to--it was--literally, it was a
6 sacrificial--it was a self-sacrifice thing. I knew I was going to
7 get hit. I knew that when I showed up at that FOB, they were going
8 to hit me with everything. I was a PFC. I didn't care about losing
9 rank. I wasn't going to lose anything. But, what they were going to
10 do, they were going to charge me. Yeah, they could charge me. But,
11 what they were going to be forced to do was, they were going to be
12 forced to investigate the entire situation. What they were going to
13 be forced to do is, they were going to be forced to adjust my
14 platoon's command. What they were going to be forced to do is, they
15 were going to be forced to stop allowing my platoon to continue to
16 follow orders from this guy. They are going to have put everything
17 on hold. They are going to have to freeze everything. Even if they
18 didn't think that I had anything legitimate to say, they would still
19 have to do. Protocol would say, "This is a situation. You can't
20 just let that unit continue functioning as a normal unit. There is
21 issues here that have to be addressed, even if this guy doesn't have
22 anything to say. Even if he is completely delusional, we still have
23 to investigate it. We still have to figure out what is going on."

1 So, no matter what happened to me, it was going to do what exactly
2 needed to be done. And that was that it would call foul to that game
3 and it would put into check the problems that I saw as the threat to
4 my platoon.

5 Now, a stupid young man, who wanted to go SF [Special Forces],
6 [got a] brilliant idea in his head, about 20 minutes into the night.
7 And that was, if I could find the people who were putting the IEDs in
8 the road, follow them back to where they are coming from, then
9 showing up at the FOB, not only doing what I was going to do, but
10 also with the bonus material of information or intel of, "Hey, this city
11 over here or this town over here has the guys who are putting the IEDs in
12 that we keep hitting." And because I knew showing up at the FOB, I
13 knew they were going to hit me with everything they could, obviously.
14 So, a redeeming point would be if I could get intel and I could bring
15 that intel there, then they could justify, "Well, he left the wire.
16 He got intel that allowed us to track down this person who was
17 putting bombs in the road that were putting in jeopardy the lives of
18 the men. It allowed us to do that." That would be a redeeming point
19 in saying, "Well, okay, you shouldn't have left the wire the way you
20 did." But, if you think back to World War I or World War II, the guys
21 who were doing what Special Forces do or the guys that were going
22 behind lines, like the snipers, these guys weren't specially trained.
23 These guys didn't have the brilliant technological phenomenon that we

1 do now. These guys were doing what they were doing simply because
2 they, themselves, could contain the capacity or had the capacity to
3 do it. They were self-reliant. They knew how to shoot and they knew
4 how to survive. And they had a massive amount of common sense. They
5 weren't going behind enemy lines because they were specifically
6 trained with amazingly researched training to do it. They were doing
7 it just because they, themselves, in their character and their
8 ability, could do that. They didn't--you know, those guys weren't
9 going out there with GPS. They weren't going out there with maps.
10 They weren't going out there knowing what was out there. They were
11 going out there and they were simply adjusting as they go, adapting
12 and overcoming what they were doing, and getting the job done.

13 So, if someone questioned me, it would be like, "So, what,
14 just because I didn't have maps or because I didn't have somebody
15 hovering above me trying to support, just because these guys back
16 here didn't know what I was?" That is what they were doing. You
17 sent the--you know, we--in our military, we would send these guys.
18 In Vietnam, we would send the snipers out. They didn't know where
19 they were. They didn't know how far they were or where they would
20 adjust to or if they were even going to come back. But, those guys
21 were sent out to do a job. And the reason why they could be sent out
22 in the one--in the two--in the two man pairs and do their job is
23 because of what they were capable of. That was what Special Forces

1 was built on. Special Forces took those guys that were capable of
2 doing that and they condensed them into a unit, into a team, into a
3 body so that they could do what they were doing more efficiently.
4 You know, instead of leaving them in their units, and leaving them to
5 basically be engulfed by the regular Joe, the regular people that
6 were there, you were taking that talent, you were taking that ability
7 you were condensing it and utilizing it for what it was. That was
8 what Special Forces was built from. And that was their mission.
9 That is why it is called Special Forces.

10 So, stupid actions, yes. Stupid young man who wanted--I
11 had always been a failure. The Army was--I knew the Army. I knew
12 weapons. I knew Soldiers. I knew how to do that. This was my
13 chance to prove I wasn't just a failure. I wanted to go Special
14 Forces. I didn't want to show up at the Q-course with some bullshit
15 Article 15 and say, "Well, I am here, just like all the other guys
16 that want to be super cool Soldiers." I wanted to show up at the Q-
17 course saying, "I deserve to be here because I have proven myself
18 already that I am capable of doing not what Special Forces does now,
19 but what the real founders, the real guys back in the day did then."
20 Those guys had no support. They had no maps. They had no
21 technology. Alls they had was their common sense and their own
22 skills.

1 CDC: All right. Let me interject. I have one question and
2 then----

3 I/O: Okay. And then take a break.

4 CDC: It is sort of arbitrary where you want to break. If you
5 want to keep rolling----

6 I/O: No. No, this is got me--we got to eat lunch anyhow. I
7 mean, the hours are----

8 CDC: So, my one question is, where were your ID card and dog
9 tags?

10 A. They were on my person. My dog tags were around my neck
11 and my ID card was in my back pocket in my wallet.

12 CDC: Let's have lunch.

13 I/O: Okay. Let me----

14 CDC: Unless you want to----

15 I/O: Let me just take a minute to sort of summarize that, very
16 quickly.

17 CDC: Yeah. Yeah.

18 Q. And then we will pick it up after lunch.

19 Okay. So, it has been a busy morning. And you are doing
20 great. You are doing great. The whole point here was to give you an
21 opportunity to tell your story, which you haven't had a chance to do
22 yet. So, we will pick it up after lunch. I do not want to put words

1 in your mouth, but I do want to try to make a stab at trying to
2 summarize what I heard this morning.

3 Generally, continually disappointed with the majority of
4 the military leadership that you encountered along the way. Also,
5 generally disappointed with a good number of your peers, not all of
6 them, but a good number of them. The ones that you weren't
7 disappointed in, you felt were also somewhat weak and vulnerable and
8 you saw yourself as a person who could protect them, you know, help
9 them. You saw yourself in a position, particularly, when you were in
10 Sharana and at COP Mest and on the mission, and on the other patrols
11 where the battalion leadership in particular, not really the company
12 leadership, and not even so much the platoon leadership. So, the
13 platoon leadership sort of has been left out of this and the company
14 leadership has sort of been left out of this. But, big problems in
15 your mind at the battalion leadership.

16 A. Yeah.

17 Q. Commander and sergeant major. And with some of the NCOs
18 within the platoon. And you saw that that situation was just getting
19 worse and worse and worse. It was just headed for an absolute train
20 wreck. And what I think you said was, two likely outcomes is, this
21 leader is so unfit that whatever is going to happen to us is
22 unpredictable, but I don't want to be sitting there when they
23 discover this guy is completely unfit and says, "Shit, I saw it and I

1 didn't say anything." Excuse my French. "So, I am going to speak
2 out." Or, it is so bad, that he actually puts us on a suicide mission
3 to get rid of this ugly platoon that is a blemish on his career.
4 And, "I am not going to sit around and watch that happen. So, better
5 safe than sorry. I am going to take action. Okay. So, what action
6 am I going take? Well, open door policy ain't gonna do it. I got to
7 get to somebody who will listen. How do I get to somebody who will
8 listen? How do I make them listen to me?" I think your description
9 of a fantastic plan is probably apt. But, nonetheless, you know,
10 like you said, you were young. You had your views. You extended the
11 world that you were in as a PFC to much more than just your
12 experience, because you did make an assumption. "I assume that the
13 rest of the Army was this way too," or "It wasn't just this platoon,"
14 or "It wasn't just this battalion." It was greater than that. So I
15 needed to intervene, to take action, recognizing, fully recognizing
16 that this is like a sacrifice mission here, just like a suicide
17 mission. "I'm going to pay a heavy price here, but it's important.
18 They're going to have to listen to me no matter how high a price I
19 pay. They're going to have to listen to me. So I'm going to leave
20 the COP. I'm going to make it to Sharana, you know, and when I get
21 there--in the meantime, all of the enablers, you know, that are a
22 part of the DUSTWUN, are going to have to respond and it's going to
23 facilitate"--this is the part I want to make sure I got this right,

1 "The activation of all the enablers is going to facilitate some
2 kinetic action against the actual insurgents and the actual Taliban
3 that we need to be addressing and eliminating to demonstrate to the
4 Afghan people we're there to help you." You know, and there wasn't
5 enough of that going on in your view. We weren't doing enough
6 kinetic against the insurgents in order to do that part of COIN.
7 Because COIN isn't all about passing out, you know, rice. Part of it
8 is protecting the population. So you were frustrated. We're not
9 doing enough protecting the population stuff, so a lot of multiple
10 benefits here. You know, "I go DUSTWUN, all the enablers come in,
11 all the ISR, all the air, all the--we're going to find the Taliban.
12 We're going to get after the Taliban. It's going to contribute to
13 protecting the Afghan people. I'm fit enough. I'm smart enough.
14 I'm good enough. I know the terrain enough. I'll make it to the
15 FOB. And when I get there, the general's going to have to listen to
16 me. And I'm going to get burned bad for this. They're going to hit
17 me hard. But, you know, whatever. I'm not going to sit here and
18 watch this shit happen anymore."

19 Am I okay so far?

20 A. Yeah.

21 Q. Okay, then----

22 CDC: Hold the thought. I want to focus on one question.

23 I/O: Yeah.

1 CDC: Because you had a lot built in that.

2 I/O: Yeah.

3 CDC: And I just want to satisfy myself.

4 I/O: Sure.

5 CDC: Focusing on the role played by the DUSTWUN aspect of this,
6 was it your thought that, as General Dahl outlined, it mobilized the
7 various other players, you said enablers--enabler has a second
8 meaning in my mind.

9 I/O: No, Al [sic-Gene], what I mean by enablers is the
10 intelligence platforms, the weapons platforms.

11 CDC: To me it has a different meaning.

12 I/O: The high end, the high tech, you know, Special Forces type
13 of players.

14 CDC: That's General Dahl's encapsulation of the DUSTWUN issue
15 you've discussed. Or was the DUSTWUN function simply the way to
16 ensure that this issue couldn't be buried? Right?

17 Q. We're asking him the questions. I'm not putting words in
18 your mouth. So I'm not saying----

19 CDC: Yeah, and I don't want to either.

20 Q. And the reason I--and I think it's a very good question.
21 Because as you were telling this, you know, and it's going to be hard
22 for you to recall did you do this in advance or are you remembering
23 it now. But it sounds as though it was a fantastic plan because it

1 had many layers. I mean, there were multiple things I think--let me
2 just ask you. Were there multiple things that you were trying to
3 accomplish with the DUSTWUN?

4 A. Yes.

5 Q. Or was it simply, you know, can't get buried?

6 A. It was multiple layers, yeah. And DUSTWUN was, if I
7 remember correctly, it was more focused on the fact that the DUSTWUN
8 would disallow it from being buried but it would also----

9 Q. Okay, okay.

10 A. ----it would also launch all that.

11 Q. Okay, okay. So I may have read too much into----

12 A. Yeah, too much into that.

13 CDC: Or that there's another level, another layer.

14 Q. The principle aspect was----

15 A. Yeah.

16 Q. ----if I go DUSTWUN, I'm going to get my opportunity to
17 talk to a general.

18 A. Yeah, yeah. If I go DUSTWUN, it's----

19 Q. And you have. You have, by the way. It's taken a long
20 time.

21 CDC: [Laughs] That's [inaudible because of laughing] also.

22 Q. You're welcome.

23 CDC: A tough way to do it.

1 Q. And I'm not being flippant, Sergeant Bergdahl. You've gone
2 through hell.

3 A. Yes.

4 Q. You have gone through hell. So please don't misinterpret
5 what I'm saying as being insensitive.

6 A. No, I know.

7 Q. There is a bit of irony to it. So let's be real. I mean,
8 this is sort of human interaction.

9 A. Yeah.

10 Q. Let's keep it light so we don't all fall apart.

11 CDC: I actually did think of that.

12 Q. So forgive me.

13 A. No, I understand. I got it.

14 Q. But so the principal reason was to--you know, I'm going to
15 get an audience with the general and the DUSTWUN is the way to do it?

16 A. Yeah.

17 Q. And then, you know, you obviously thought deeper then. You
18 said, "You know what? Actually, you know, these guys are seeing
19 shit." You go DUSTWUN, everything shows up.

20 A. Yeah.

21 Q. The ISR shows up, the SOF guys show up, the special ops,
22 the black guys show up.

23 A. Yeah.

1 Q. I mean, and we need that anyhow. And the only reason I
2 brought it up--again, I don't want to put words in your mouth. I
3 thought that you also expressed a frustration that, you know, if
4 we're going to help the Afghans----

5 A. Yeah.

6 Q. ----you know, part of helping the Afghans is helping the
7 Afghans who are vulnerable, you know, and illiterate and farmers and
8 protect them and we're not doing enough of that.

9 A. Yeah.

10 Q. You now realize, I think you said, your words were, "I now
11 realize part of enabling that is conventional forces holding terrain
12 so the operators can do that."

13 A. Yeah.

14 Q. You understand it now.

15 A. Yeah, yeah.

16 Q. But at the time, you were like, "Hey, we need to be doing
17 more."

18 A. At the time, I didn't know.

19 CDC: But let's also be clear, one of the things I think is
20 important to sort of organize the data is to distinguish between your
21 current understanding and what your, you know----

22 Q. Yeah, what your intent was at the time.

23 CDC: What your intent was at the time.

1 Q. Yeah, right. What you were thinking at the time.

2 CDC: And, just to drive it home, talking about these two layers,
3 were those part of your thinking at the time? Rather than a
4 retrospective?

5 Q. Right. Yeah, I mean, think about that and after lunch
6 we'll ask you again.

7 A. Okay.

8 Q. So you can try to, in your mind, and it's going to be hard
9 to do.

10 A. Yeah.

11 Q. Like I said earlier when I talked to your platoon mates,
12 their statements, their written statements from five years ago are
13 better than what they tell me now just because an awful lot has--and
14 you don't even know. You know?

15 A. Yeah.

16 Q. You're convinced that's what I was thinking at the time.
17 Well, it wasn't what you were thinking at the time because I'm
18 reading this.

19 A. Yeah.

20 Q. So are you [referring to platoon members] lying to me now
21 or were you lying to me then? Well, they're not lying either. It's
22 just human--we're only human.

23 A. Yeah.

1 Q. I mean, we don't have total recall. We didn't have one of
2 those with us [pointing to recorder].

3 A. Yeah, that's right.

4 Q. Okay, so then the other piece just, and then we'll break
5 for lunch, is and then you thought through at the time, I think this
6 was at the time and again I'll ask after lunch did you think this at
7 the time or is your memory adding to this after the fact, but you
8 were thinking at the time, "Okay, so what's going to happen to me
9 when I get to, you know"--like you said, a simulation. Okay, you run
10 through these things in your mind.

11 A. Yeah.

12 Q. So I'm simulating. I make it. The DUSTWUN happens. I
13 make it to FOB Sharana. I get my audience with the general. And
14 what are they going to think of me? I mean, how do I make this a
15 credible story? That I really did this just to bring their attention
16 to this miserable leadership at the battalion level? Well, one,
17 they're never going to think that I did this to leave my unit, just
18 to desert my unit. There's a hell of a lot of other easier ways to
19 desert my unit, to get thrown out of theater and head back home.

20 A. Yeah.

21 Q. Not just trying to get away from this because I'm a coward
22 or because I'm miserable.

23 Okay so far?

1 A. Mm-hm.

2 Q. Okay, then secondly, you know, look at the terrain. It's
3 impossible. And we'll have to address this after lunch. Because the
4 reason the mountains are important is because as you've read, some of
5 your buddies recall you saying, "I'm going to India, I'm going to
6 China, I'm going to Russia, I'm going to join the mob," whatever it
7 might be.

8 A. Yeah.

9 Q. Okay, it's way too--even for yourself that's too fantastic.

10 A. Yeah.

11 Q. To actually scale those mountains and get there. That's
12 way out there. And based on your upbringing and where you've lived,
13 you would know that. Okay, so that's incredible. It's just
14 implausible for anyone to imagine that you would actually be
15 venturing over the mountains. And there are easier ways of getting
16 out of a miserable situation.

17 A. Yeah.

18 Q. Because you weren't trying to get out of a miserable
19 situation. You were trying to correct a miserable situation.

20 A. Yeah.

21 Q. And then finally, when I show up at the Q-course, I'm not
22 going to have just a field grade for being out of uniform up on the
23 OP1 at COP Mest, I've got a better story than anybody.

1 A. Yeah.

2 Q. Okay, so that's just a summary. What I'm saying doesn't
3 matter. What matters is what you've said. I'm just trying to
4 understand it.

5 A. Yeah.

6 Q. So does that--am I in the ballpark?

7 A. Yeah.

8 Q. Okay. So why don't we break for lunch? Okay. Great.

9 [The interview recessed on 6 August 2014.]

10 [The interview resumed on 6 August 2014.]

11 I/O: We will just put in 0810, we have to initial the date and
12 time. I think we started at 0800, so I'm just going to say it was
13 about 0810 when we did this. I'm just going to put 0810 there and
14 ask you to initial the date and the time, just put an initial in each
15 of those.

16 [The investigating officer recorded the time and date on the Rights
17 Warning Procedure/Waiver Certificate and the subject initialed as
18 directed.]

19 I/O: So, has your name always been Beaudry Robert Bergdahl, or
20 was it originally Robert Beaudry Bergdahl?

21 I don't know where I saw that.

22 SBJ: Originally----

1 I/O: Not that it really matters, I just thought I read that
2 somewhere.

3 SBJ: Originally, it's Beaudry Robert Bergdahl.

4 I/O: Originally it's----

5 SBJ: On the birth certificate it's Beaudry Robert Bergdahl.

6 I/O: We are going to wait for the captain to come back before we
7 start.

8 Is he out there?

9 CR: He is, sir.

10 SBJ: Yes, he is.

11 CDC: There's somebody else from Fox News.

12 I/O: What's the--do you eat in the DFAC normally, occasionally?

13 SBJ: Occasionally.

14 I/O: It's not very good?

15 SBJ: No, it's good. I like it. It's extremely crowded though.

16 I/O: Okay, it must be pretty good then.

17 SBJ: Yeah.

18 I/O: It's one or the other. It's usually very crowded or the
19 food is so bad----

20 SBJ: Typically empty.

21 I/O: Typically, it's crowded at lunch and breakfast, but for
22 dinner, nobody goes there.

1 Do you have a little kitchenette or something in your room
2 or your barracks?

3 SBJ: Yeah, a little common area. It's got a stove, a microwave,
4 and a refrigerator.

5 I/O: Good. Did you get any peanut butter?

6 I remember when we first got back here you were interested
7 in some peanut butter and I wanted to bring you some, but I didn't.

8 CDC: It's bad for you, but it tastes so good.

9 I/O: When I did the STP [Seattle to Portland], that was my fuel.
10 I made peanut butter and jelly sandwiches, cut them in quarters,
11 stuck them in my backpack, and about every 15 miles, I'd stop and eat
12 half of a PB&J. And two days later, I was in Portland----

13 CDC: Perfect food.

14 I/O: ----It ended at the beer garden, so it was good.

15 So we summarized--I don't think I need to summarize again,
16 I don't think that's necessary. But, I do want to let you continue
17 to talk rather than answering questions. Don't hold yourself to 30
18 minutes; take as much time as you need. I told Gene that you need to
19 be spent when you're done. "I'm done. I've said it all. I've left
20 nothing on the table." And, then we can ask you follow-up questions
21 because I know some of the things that I'll need to ask you to
22 corroborate some of the things that you're telling me and to negate
23 some of the things that the other folks are saying.

1 Let me just tell you up front, you had mentioned earlier
2 some of these accusations of you were crossing over, being a traitor,
3 and all that kind of stuff. I've read that stuff in the open press,
4 too. I've been at this for 52 days. I have seen nothing to indicate
5 that. So don't think that we have a file or case against you, that's
6 just not the case. As you continue your story, I am interested in
7 your contact or your desire to contact the Taliban like you mentioned
8 to try to find out something about IEDs and bring that intel with
9 you. I am interested in hearing that and how you imagined, had you
10 had that opportunity to meet with them, to learn something about
11 them, breaking contact from them, and then continuing on to Sharana.

12 You mentioned 20 minutes into--so why don't we just pick up
13 there. You said 20 minutes into this you had this idea that, in
14 addition to--so when you departed you weren't thinking, "I'm going to
15 do that." You were thinking, "I'm going to run to Sharana."

16 SBJ: Yeah.

17 I/O: And then 20 minutes into it, you thought, "Hey, before I
18 get to Sharana," I mean, the simulations just kept running. "Okay,
19 when I got to the gate at Sharana, it sure would be good to have
20 something with me." So, I will just turn it over to you there.

21 **Questions by the investigating officer:**

22 A. Yeah, that's good. So it was about 20 minutes into it. I
23 was thinking of--the whole idea was to get there as quickly as

1 possible. Because I knew the dangers of being out there and I
2 specifically--nighttime was the cover. Once daytime came----

3 Q. Roughly, what time did you--do you have any idea what time
4 you departed?

5 A. Sometime around midnight, probably after.

6 Q. So you figured you had a few hours in the cover of
7 darkness.

8 A. A few hours of cover. The idea was to make as much--to
9 cover as much ground as possible. However, I knew what I had set
10 myself up for. Definitely, fear is a very general word. I had mixed
11 feelings about what I was doing. Of course, there was going to be
12 fear of doing it and there was going to be all these--my mind is
13 always going to question what I was doing because I knew how
14 dangerous it was. And I knew, basically, by that point, it was too
15 late to return because I knew I wasn't going to try to get back on.

16 Q. Right. You committed?

17 A. Yeah, I committed. So knowing what was waiting for me,
18 basically, it was going to be a very uneasy feeling because I
19 basically just pitted myself against the entire military higher rank.
20 The idea was I knew that the area was being--had IEDs placed in it
21 and I'm going to correct--no, not correct, but I'm just going to
22 explain clearer what I was thinking.

1 I wasn't planning on making contact with the Taliban at
2 all. What I was planning on doing was I was planning on moving along
3 the route that I believed there were guys putting IEDs in. What I
4 was going to plan on doing was using the element of the fact that
5 they weren't suspecting a lone person to be out there quietly moving
6 through the--across the ground. At this point in time, I slowed up
7 my pace. I stopped running. I moved back towards the main road
8 because I had gone off the main road. So, I switched directions.
9 The idea was to see if I could hear sounds of digging or see
10 silhouettes or voices in the night. The point was to locate
11 something like this on my way there. I started detouring to make a
12 much larger--instead of going straight there, I decided to widen my
13 arc out, you know, I was going to arc out instead of trying to travel
14 straight. So this took me into the night and the plan was to find
15 people moving in the darkness in a suspicious way by a road or
16 something like that. In that country, people out at nighttime, they
17 have a reason for being out at night. Those guys don't like moving
18 around unless they have to. So the idea was to get some kind of
19 confirmation of them; a visual or whether I was following sounds,
20 shadows, to do my best to follow that direction into the morning
21 light. Once I got morning light, I could pick-up the actual trail.
22 The ground was basically soft dust. It's the desert. It's extremely
23 easy to track someone in the desert. Another thing was if they had a

1 motorcycle. I could pick up the motorcycle trail and I could follow
2 that motorcycle trail throughout the daytime because it would leave a
3 very clear mark. The idea was not to make contact with them but
4 actually to just trail them. Pick-up a trail, pick-up--get some kind
5 of visual that there's people out there right now, stay on them at
6 night by using either the visual of their shadow, or silhouette, or
7 sound and keep on it until daylight comes and pick-up the physical
8 trail left behind and track them. Let them get ahead, but track
9 them. It was a gamble, but it was--you know in military, you read
10 the history books and there's always--you read about these things
11 that are just random circumstances, that you--if you just seize that
12 moment----

13 Q. It pays off.

14 A. It pays off. So the idea was, if I put forth effort of
15 trying to collect something like this, it might pay off. If it does
16 pay off, then it would help. If it doesn't pay off, then I am no
17 worse than I was. Unfortunately, the sacrifice was longer time out
18 and in daylight. It also meant moving in the daylight. My original
19 plan was to run in the night, daytime comes, cover myself, and wait
20 for evening to come again, and run at night and get to point B.

21 My new plan was to actually move and see if I can't catch
22 anything suspicious, something that would suggest that there was
23 something I can pick-up. I moved throughout the night. I made a

1 mistake. I had a compass with me, but because of the flat terrain I
2 didn't need it. Now, I am a person--I always have a compass with me.
3 It doesn't matter if I'm in a city. It doesn't matter if I'm on
4 vacation. It doesn't matter if I'm on a jet, or in a car, or
5 anywhere. I always have a compass with me. It's one of the first
6 things I have. I have a compass with me. That is just something I
7 always have. Growing up the way I did, I knew the meaning of getting
8 lost. If you get lost out in the wilderness in Idaho, you're in a
9 lot of trouble. Now, I've always, because I've grown up in those
10 mountains, I have always had an extremely acute sense of knowing my
11 surroundings and having an extremely good sense of direction.
12 However, I know that you need a compass for certain types of
13 navigation and the very idea of a compass, it's a symbol. Because
14 one of the things I am interested in is old historical sea stories,
15 the adventures, the men who set out across the oceans to visit the
16 distant lands that no one knew anything about. The compass is the
17 symbol of all of that because without it, it wouldn't have gone so
18 well. So the compass to me is a symbol. So I just naturally always
19 have one. It doesn't mean I always use it. I made a mistake. Going
20 straight there, I probably wouldn't have needed it, but I made a
21 mistake when I diverted. That mistake was overconfidence in my
22 ability to navigate at night. There was extremely low visibility. I
23 don't know anything about the sky. I don't know enough about

1 celestial navigation. Unfortunately, the flat terrain started to
2 turn into slightly hillish terrain. I am not sure exactly how
3 hillish it was, but a couple hours into it, I realized that I needed
4 to use my compass because Afghanistan terrain is--it is what it is.
5 It is unpredictable. You get into it on the ground, without a map,
6 and it doesn't take very much to turn you around. After a couple
7 hours of trying to do it myself, I ended up having to use my compass.
8 There was a couple-hour gap in the night that I displaced myself to
9 the point of, at that moment, in the darkness, I didn't know exactly
10 where I was. I knew I had traveled a certain--I knew I traveled at a
11 steady pace for a couple of hours in this certain direction following
12 the terrain. I knew if my--I knew how to pull an azimuth that would
13 pull me back in line with the FOB. I wasn't lost, but I had gotten
14 myself to this point and it was not as exact--So when I pulled out my
15 compass and I started--I still had to keep going in that direction.
16 There's a couple hours gap where I could have meandered off and so
17 the map in my head wasn't exactly where it was. By that point, I had
18 to slow down even more. I started trying to pull myself back around
19 towards the FOB and it got me into the hills and through the night I
20 thought I had a couple possibles but it turned out to be generators.
21 I thought it was motorcycles or something, but it was generators.
22 Nighttime passed fairly quickly, steady walking, I never stopped to
23 rest except for moments to pull my compass out and moments where I

1 had to stop and listen. Otherwise, it was just steady walking. My
2 time--my distance was shortened because instead of running, I slowed
3 to a walk and I kept a steady walk up, but it was still a walking
4 pace. By daylight, I will admit I was in over my head. I wasn't in
5 over my head in a sense that it was open ground and I'm here trying
6 to navigate myself through it. I was in over my head knowing the
7 environment I was in. Not something that I've been--hostile
8 environment. What are the--how to spot warnings or how to--what kind
9 of terrain you need to be--what kind of people, or whatever. I
10 didn't know any of that, that you should know going into it. Yes, I
11 was in over my head; however, my argument for that was, well those
12 old guys were in over their heads, too. So it was that situation,
13 adapt to it, and do your best.

14 Daylight came and the whole point was to cover ground and
15 see if I can spot anything. So I am moving in the early morning, the
16 sun just came up, early morning light. It's right there before noon.
17 I wasn't keeping track of time once daylight came, a couple hours
18 maybe walking through the desert. Terrain started opening up. It
19 kinda went from closer hills and started opening up into a flatter,
20 hillish land. I knew I was--I forget the exact--I believe I was--if
21 I remember correctly, I was--north was the direction I was going in.
22 The FOB would have been to my northeast. The whole point was to do
23 an arc----

1 Q. To Sharana?

2 A. Sharana. There's hills between them and it flattens out
3 onto Sharana. Prior to this, my simulations ran in the theory that
4 the possibilities of being caught out in the daytime were a
5 possibility. I needed to compensate that. So what I did was at a
6 little local shop on the FOB, we called it the "Hajji-Mart," the guy
7 had clothes, the *Jamay* [referring to ankle length garb that is customarily
8 worn in the region] that they would wear. The idea was if I put that on over
9 my clothes and put the typical head-wrap on my head, at a distance, any of
10 the locals would see an average guy walking through the desert. That was
11 the plan. That is what I did--the overconfidence was that it would work.
12 It didn't work. I don't know how they did it. I don't know who it was who
13 spotted me. I don't know what it was that gave me away. But, here I am
14 walking through the desert. I know that the closest road that I spotted was
15 maybe a hundred meters away from me, but in those morning hours, on
16 motorcycles, was when I first got contact from the Taliban. Whether
17 they spotted me while they were moving along the road, or whether
18 someone had called forward or not, I don't know. My whole thing was
19 not to act suspicious.

20 Q. So the very first contact you made with another person
21 outside the wire was the Taliban on motorcycles and it was about what
22 time the next day?

23 A. Morning hours.

1 Q. Sometime before noon, the next morning?

2 A. Yes. It might have been a sheep herder, a goat herder. It
3 was a goat herder, but at a distance. After that, everything kind of
4 falls into a steady blur. I knew what I had gotten into. After that
5 point everything just settles into a survival thing.

6 Q. So the dress and the headgear you bought at Sharana, you
7 brought it to COP Mest with you and you just carried it with you when
8 you went off?

9 A. Yeah.

10 Q. Let me ask you, can you go back and tell me about what you
11 brought with you and how you made those elections, and what you left
12 behind? There is a lot of speculation out there of what you had,
13 what you didn't have, what you brought, or what you didn't bring.
14 You can kind of clear all that up by just giving us the facts.

15 A. The original plan was to run from TCP to Sharana. I needed
16 to go as light as possible. I also knew that the possibility of
17 being caught out in the middle of the daytime, visually, I needed to
18 look not out of place. A guy walking through with a giant weapon,
19 obviously is going to look out of place. Guy walking through the
20 desert with a uniform on is going to look out of place. The point
21 was being lightweight and bare essentials. Whatever my pants had in
22 the pockets and that was it. I pulled out the bladder to my CamelBak
23 so I had water. I knew that if I was going to be exerting myself in

1 that environment I needed water. Enough that would get me through
2 the day but not too much that would weigh me down. Things I took
3 with me were what was in my pockets, my wallet. I had my camera. I
4 always had that, even when I was on patrol; always had a digital
5 camera. I had my notebook. I had a few personal journal entries and
6 poems. A newspaper article about a guy who had made a record sailing
7 a boat; self-contained sailing for a thousand days or something. So
8 I had that in there. I had my knives because I am a knife person, I
9 like knives. They are very functional tools. They have a very large
10 meaning out west. I also had my pocket-knife; I always have a
11 pocket-knife. I grabbed a pack of chicken meat from an MRE, a pack
12 of nuts from my trail mix, my compass, and my belt.

13 Q. The Afghan dress you just stuffed in your cargo pockets?

14 A. I stuffed that in my cargo pockets and when I got out there
15 I just threw it on.

16 Q. So the water you had with you was--you brought your
17 CamelBak with you, or you just took the bladder out of the CamelBak?

18 A. I pulled the bladder out of the CamelBak.

19 Q. Do you recall the route you took?

20 A. The first moment out of the TCP, yeah.

21 Q. How did you depart the TCP?

22 A. I was down on the lower part of the TCP.

1 Q. So you weren't up on the OP, on this rotation you were down
2 on the----

3 A. In the C-Wire.

4 Q. Do you recall whose truck you were on? You had about 4 or
5 5 MRAPS down there?

6 A. I was by the truck where the LT was. It wasn't my
7 truck----

8 Q. That's where you would have been pulling guard rotation on
9 that truck, Lieutenant Billings' truck?

10 A. Yes.

11 So I was there. The way the TCP was set-up, they had Hesco
12 barriers and then C-wire and the backside had the hill on it where
13 the OP was. The C-wire ran up that OP. Afghan guys had their stuff
14 up top and a few of the Afghan guys were down in the TCP too. What
15 happened was, these guys, because they--they cook up there, they come
16 down here, and instead of going--the Hesco barrier is here and
17 instead of walking out of the opening, the gate, and then up the hill
18 to get to those--what they did was they just went up the back of the
19 TCP and a very small mountain, where there was C-wire and they had
20 thrown a plastic crate down on top of the c-wire and that allowed
21 them to cross over the C-wire without getting tangled up and then
22 they could go up to there. They were positioned here on the hill and
23 our OP that we were starting to man, because we shifted it from that

1 little knoll over, so that were within site of the TCP, of our guys.
2 There was a gap there, kind of, not really a saddle but a slow
3 incline from the top down to towards this OP. Then there was a small
4 ravine that was where the road was where they drove cars up. That
5 was one of the roads. There was another road that went onto the
6 side. So there was a little ravine there and that was the road out
7 to the top. The OP here that our guys were manning, it had view of
8 this area--here's Hesco barriers, here's the OP, they had a view out
9 here. The ravine went down here and there was a road that cut that
10 way. Now, guards at the OP, if they were off the sandbags that they
11 sat on, leaning out the window with their NODs, they had a fuller
12 view of what's out there. Sitting on the sandbags, slouching, and
13 staring out the window, your view doesn't pick-up for about a hundred
14 yards out. Maybe a little less. There's a blind spot. It's a huge
15 blind spot. They are focused on the front and I was focused on the
16 back. I know my platoon and I know the amount of the alertness that
17 was going on at that TCP. I knew the capabilities of the NODs, so I
18 knew that was a blind spot and I knew the Afghan guys didn't have
19 NODs and I knew that those guys in that particular bunker thing,
20 they're not going to be paying attention. I knew that from knowing
21 them and watching them from our OP or watching them from the TCP. I
22 could just see the way they conducted themselves. The only way that
23 they could be searching the area down in front of them was by

1 flashlight. So you could see them flinging the flashlight about.
2 The guys over here weren't worried about it because they had the
3 Americans right there and they knew we had NODs, so they weren't
4 worried about this part of it, because Americans were there. These
5 guys were obviously asleep and they weren't out there with
6 flashlights. That was--they blinded themselves by being relaxed, as
7 the Americans were there. We blinded ourselves because of the way
8 the OP was situated, the way the sandbags inside were situated, and
9 then falling into the habit of not being too concerned about what was
10 going on out there because that is just what happened. That is was
11 what was going on. So it was a one-way route. I wouldn't have been
12 stupid enough to try to go back, because going back looks bad and I'm
13 not going to risk that; that is just stupid. I knew it was a one-way
14 route. When I left it was quiet. I went up the hill. I got out
15 from----

16 CDC: What do you mean, "It looks bad?"

17 A. It looks bad, somebody coming towards the OP in the dark.
18 That looks bad [an enemy trying to get close].

19 CDC: Okay, I just wanted to clarify.

20 A. Whereas someone leaving the OP would look like [a friendly
leaving the OP]----

21 CDC: A good way to get shot, is what you're saying.

22 Q. So if you're on the U.S. OP and you're looking out over the
23 road at the fields you were walking to the left of that?

1 A. Looking out, I would have gone down to the left and hung a
2 left.

3 Q. Down the road and towards that----

4 A. The little town.

5 Q. Malak was the name of that town.

6 A. The closest--it was the closest place.

7 I would have gotten into the labyrinth of alleyways, but I
8 had a pretty good idea of what direction to keep going in. So I just
9 kept going through there and it took me out. So here is the hill and
10 here is Malak. I went out through and I headed out into the alleyways
11 and it took me somewhere behind the OP, behind the hill the OP was
12 set up on. From there I started out into the desert and it was out
13 there that I changed directions. I swung further north because that
14 was the belief----

15 I/O: Hold on a second, let me just grab one of these--I was
16 going to do this later, but we will do it now.

17 CDC: Should we just come in with it?

18 I/O: No, I'll just bring it out.

19 This is Exhibit 6. [Viewing Exhibit 6] This is your--the
20 COP, so down here is where you guys were. You had the HLZ, and you
21 had the vehicles, and this is route Audi, behind this one is Dodge
22 going this way. So, up here on the top of the hill is the U.S. OP
23 and there's the two Afghan OPs back this way. This was that dirt

1 road that went out there, so I think behind here is where the wire
2 went about half way up. That's where the guy had the plastic thing
3 here. So you went up behind here, you had walked over the plastic
4 thing and the Afghan's would go up to the left to a couple of their
5 OPs and you guys would go right to your U.S. OPs.

6 Does that sound about right?

7 A. Yes.

8 Q. So that's the U.S. one and these are the Afghan ones and
9 this is probably wire here or something. Down here it looks like
10 there is a truck there. So, is that the truck you were in with the
11 lieutenant?

12 A. I was over here [pointing to the second truck located in
13 Exhibit 6.] There is a truck parked here.

14 Q. So not the first truck, but the next one over?

15 A. Yes.

16 Q. Did you sleep next to the truck like everybody else? Or
17 did you have a place in between them or off a little bit to your
18 side?

19 A. It was directly next to the HESCO barriers which lined this
20 right here and the truck was right there and it was in-between the
21 truck and the HESCO barriers that we all camped out.

22 Q. You had a little one-man tent, or two-person tent?

1 A. Yeah, I had a one-man tent. In the daytime, because of the
2 sun, shade was needed and we didn't have too much shade. So it was
3 good for shade during the daytime.

4 Q. I will take this, because I don't want you to draw on it,
5 but you can use this to point. Give me an idea of, around midnight
6 or so, you left your truck or your tent and you headed which way?

7 A. So, I left the truck and went to about here and the other
8 truck was parked about right here. I got up [inaudible] got up
9 through here behind the OP, in between that, so here, down here.

10 Q. Okay, that's what I thought.

11 A. Then I just hugged the hill and so this is the original OP
12 where we were first set up, then they turned that over to the
13 Afghans. So I came out somewhere around here and I could see them
14 flashing their flashlights around, but they never saw me. Then I got
15 into here, I think, I remember I got right into an alleyway here.
16 There's a school here. I got into here, then here. Somewhere in
17 here I made sure [inaudible]. Somehow I ended up--I started--
18 darkness--I just started to slowly follow the terrain. I would dodge
19 the mass civil lights at the night knowing that there are some walls
20 or something.

21 At about here I'm going off of my natural direction.
22 Direction just kind of meandered and it was to take me around because
23 that direction was--that's the direction of FOB Sharana. We take

1 this road. This is IED lane. All of this was IED Lane. The idea
2 was to head out there, the flatlands, and cut up that way. If this
3 was the road that they were setting all the IEDs on, the idea was
4 twenty minutes out I was about here. So the idea was, what if these
5 guys are coming from--I thought I heard somebody saying that they
6 were coming from somewhere over here. So I just swung out that way
7 and I was kind of and that was where I kind of got--those were the
8 couple hours that I wasn't going off a compass and I kind of got into
9 the hills over here. I know I was over there and I knew FOB Sharana
10 was in this direction.

11 Q. There was a--you probably saw it in the media reports and
12 all that. They went out on a dismounted patrol after you departed,
13 ran into some kid, some kid said he saw you crawling through the
14 wheat at 0602.

15 A. At no point in time was I ever crawling through any farms
16 or farm fields.

17 Q. And the way you described it, you were nowhere around here
18 at 0602, so by the time the kids were going to school, you were long
19 out of the way.

20 A. I was out of view of any buildings. There might have been
21 a few huts on the horizon.

22 Q. You know how the Afghan kids can be, I got it.

23 [Putting away Exhibit 6] Thanks, that helps.

1 Okay, let's go ahead and take a quick look at this one, too
2 [taking out Exhibit 4]. This is Exhibit 4. This is just a bigger
3 map.

4 Just again, to orient you, you were down here at COP Mest,
5 so this is Malak. Mest is right down here. This is going up to
6 Sharana, and then you can see this is probably when you start
7 hitting--see that terrain there?

8 A. Yup.

9 Q. That is probably where you started hitting some of those
10 mountains.

11 A. I think, if I remember correctly, I may have dropped over
12 to the other side. Somewhere around here I think I dropped over to
13 the other side. That's where I got caught up into hilly land. You
14 can kind of see here all of the bumps and rises. Then of course you
15 have the gullies and wash-outs.

16 Q. You're about halfway to Sharana at this point, I mean, I
17 don't know. Do you have any idea about what that distance is?

18 A. It's about 10 to 20 miles.

19 Q. I was going to say, it's about 30 kilometers or something
20 like that.

21 So you went and you came out, went up over the top, on the
22 backside, and then when do you think daybreak came?

23 A. Daybreak came around four.

1 Q. How far do you think you were at that point?

2 A. I was still walking. I was probably, I would say I was
3 about 11 kilometers.

4 Q. So you were up here on this--on the backside of the hills
5 and at this point you, you're still in your uniform or had you put
6 on----

7 A. By daylight I put----

8 Q. You put your stuff on?

9 A. Yeah.

10 Q. Then you were heading out this way and where do you think
11 you were when you ran into the motorcycles?

12 A. I was about here.

13 Q. So right about there?

14 A. It was within the daylight--it was closer to daybreak than
15 noon.

16 Q. So the sun came up around four and you think it was
17 roughly, what, 0800?

18 A. About, yeah.

19 Q. [Putting away Exhibit 4] Thank you.

20 Do you remember who else was on that truck with you?

21 A. It was----

22 Q. [Looking at Exhibit 8] This isn't current, obviously, and
23 it wasn't taken at the time, but it gives you an idea of the COP. So

1 this is the U.S. OP. This is the Afghan OPs. Here's your COP down
2 here. There's the HESCO barriers you were talking about. So there
3 was a truck here by this entrance; that was Billings' truck, right?

4 A. Yeah.

5 Q. There was another one a little further down here and you
6 were sort of in-between them?

7 A. Yeah.

8 So there's--see this entrance right here?

9 Q. Yeah.

10 A. So the truck was kind of right there and we were right
11 about here and we camped out here.

12 Q. So there was the truck at the bottom of the hill here, but
13 you were on this one?

14 A. Mm-Hmm.

15 Q. Do you remember who the NCOIC was of that particular truck?

16 A. Not that particular truck, I just know that was the----

17 Q. Is that the one you were pulling guard on?

18 A. Yeah, that was the lieutenant's truck.

19 Q. So it's the LT's truck--the LT's truck was here. That's
20 not the truck that you would normally ride in, but it was the one you
21 were pulling guard in on that night.

1 A. The platoon sergeant's truck was right here and there was a
2 couple other trucks there. It might have been the direct fire that
3 [inaudible] right there.

4 Q. Platoon Sergeant. Platoon Leader. And you, obviously.

5 Do you recall who else was on the truck with you?

6 A. It was Specialist Good, it was Corporal Gaughan, it was
7 LT, it was Private Lanford. There was one more. Yeah. I think it
8 might have--yeah, and Private First Class Cross.

9 Q. So that's six: Good, Gaughan, Lanford, yourself,
10 Lieutenant Billings, and Cross.

11 Do you happen to remember who relieved you from guard and
12 which guard shifts you had?

13 A. It was supposed to be, the person who was going off of
14 guard----

15 [The court reporter handed a document to the investigating officer.]

16 I/O: Thank you.

17 I gotta tell them----

18 CDC: Fox News?

19 I/O: No, no, no, sorry. This is--okay, this is Exhibit 8. They
20 won't know--all they know is that I'm looking at a map. Exhibit 8 is
21 the overview of OP Mest. That is where Sergeant Bergdahl pointed out
22 where the PL's truck and the Platoon Sergeant's truck was.

1 On the PL's truck was the PL, Gaughan, Good, Lanford,
2 yourself, and Cross. Do you recall who--in the rotation, who did you
3 replace and who replaced you?

4 A. The rotation--Corporal Gaughan was supposed to be before me
5 then it was my rotation, me next. That night I think it was----

6 Q. Let me ask you more generally because that was a very
7 specific question. That was a hell of a long time ago. Generally
8 speaking, how did the rotations work? How did you know that you had
9 guard? How long were the shifts? I'm assuming that when you were
10 on, you were up in the turret. How often were you up in the turret,
11 and how long were the shifts, and how did you swap out, more
12 generally speaking?

13 A. The guard roster would be made for a 12-hour period. Then
14 it was two-hour shifts.

15 Q. So a 12-hour roster and two-hour shifts.

16 A. That should have broken it down to----

17 Q. Lieutenant Billings pulled guard also?

18 A. No.

19 Q. So it would have been five of you: you, Good, Gaughan,
20 Lanford, and Cross. The five of you guys would have rotated out
21 every couple of hours.

22 Do you recall what weapon you guys had up in the turret?

1 A. I believe that truck had a .240 mount. It was either a
2 .240 or a .50 cal. We didn't have a .203 up there.

3 Q. Do you recall when your last shift was? You remember
4 leaving around midnight or so. How soon after your last shift was it
5 that you made your way up over the--through the--over the hill?

6 A. I think I finished my shift. It was Corporal Gaughan on
7 shift, about the time his shift was ending. It was after that ending
8 that the next person went up that I had left. What happened was, I
9 think I had finished my shift two hours before Corporal Gaughan's
10 shift. So that left a gap before it came to be my turn again. I
11 left a gap of--they wouldn't be calling for me until five or six the
12 next morning. That left a gap of nobody knowing I was gone until
13 that next morning.

14 Q. So you were on shift, Gaughan replaced you, Gaughan came
15 off shift, somebody replaced him, and that's about when you departed
16 and you would have had a good six or eight hours before anyone was
17 going to come looking for you for your next shift. It probably would
18 have been daylight by then. They wouldn't have seen you absent
19 because everybody would have been sleeping, or doing their own thing.
20 So we know when you were on guard.

21 You don't recall when your next shift was?

22 A. It was just the next morning.

23 Q. 0600? 0800? Something like that?

1 A. I think it was like five or six, possibly.

2 Q. Just to go back to the whole--you mentioned DUSTWUN
3 earlier. While you were putting together your plan and thinking all
4 the things you were thinking, you're also, I don't want to put words
5 in your mouth, but you're thinking at some point they are going to
6 know you are missing. You are expecting that point to come about the
7 time you are coming on guard shift.

8 How would they discover you are missing?

9 A. I wouldn't show up--basically, the guy who is on guard
10 would be like, "Bergdahl's got to replace me," and he would either be
11 the one to go wake me up or he would call to someone and say to wake
12 Bergdahl up because it was his turn for guard shift.

13 CDC: Just bear with me, when did the unit realize you weren't
14 there? Because that would disclose when the shift was.

15 I/O: Right.

16 CDC: I forget, we quickly looked at the AR 15-6----

17 Q. If you read the 15-6, you got a variety of answers and
18 that's because when they were asked the question it was like 11 days
19 later. In that 11 days, they had a very high OPTEMPO. So, when the
20 investigating officer was asking them, it was everywhere between 0630
21 and 0830.

22 A. That's about the right time.

1 Q. So it was in that window anyhow and I don't know if we are
2 going to be able to nail it down precisely because the guard roster
3 wasn't like a Form 6 that was published or anything.

4 A. It was a piece of paper, scrap, notebook paper.

5 Q. Where did they post that so you knew, did they just tape it
6 up inside of the MRAP or put it up in the turret?

7 A. I think they put it inside the MRAP on a spot where we
8 could all look at it.

9 Q. Again, you put that many guys on a truck and they are
10 pulling a couple hours a piece, you had a good eight hours during the
11 day and probably it would have been unusual to not see you during
12 that whole period. I know that there was also some--you guys did
13 some training, .50 cal classes or some kind of training. At night,
14 nobody would have been looking. You had some cover of darkness for
15 your movement. You had some cushion behind your back on the COP and
16 it gets you moving.

17 Who was it you talked to about what happens with the
18 DUSTWUN? Did you use the term "DUSTWUN" or is that--you know what
19 DUSTWUN means now. Is that the way they were describing it then?

20 A. When we first got there and we were on that opposite little
21 hillside for the first OP, somebody--because it was such a joke.
22 Someone--we started writing, because you are supposed to do radio
23 checks, people started writing "OP Joke. This is OP "Joke." Well,

1 someone had wrote DUSTWUN, "This is OP DUSTWUN". Because we were out
2 of sight of the unit, of our guys. We had only Afghan guys who had
3 eyes on us, and we had the village right there. So it was--the joke
4 was, "This is OP DUSTWUN." I was sitting there one day and I believe
5 it was Sergeant Louis, I asked him, "What's DUSTWUN mean?" He said
6 that DUSTWUN is when a Soldier goes missing.

7 Q. Did he describe to you what happens when that happens?

8 A. He gave me a good enough description. He said, basically,
9 "What happens in DUSTWUN is you call DUSTWUN over the radio when a
10 Soldier has been missing, or when a Soldier was taken in combat, and
11 everyone goes on full alert." It only takes me--my understanding of
12 the military system and my ability to run simulations, I simply ran
13 it through my mind, "A Soldier goes missing, you call DUSTWUN,
14 everybody gets alerted, that means what happens?" What happens is--I
15 didn't know exactly that it would be on--it's a massive scale. I
16 knew that the call goes out, "DUSTWUN," and it puts everybody on high
17 alert. It doesn't just stay within Army ranks. It goes to every
18 branch that is within that area and beyond that, this had happened
19 and the situation has gone to red alert. I got very minimal
20 information, but I had enough to understand that DUSTWUN is a big
21 deal and it goes to the top.

22 CDC: Lights and buzzers would go off.

1 Q. Which was the principal reason you were doing this. It
2 wasn't principally the response-----

3 A. It's going to go all the way to the top and they can't bury
4 it.

5 Q. You can't pretend that it's not happening.

6 You mentioned before lunch that your expectation was 24
7 hours, 48 hours, that's when it's going to make its way up the chain.
8 Of course, it happened significantly faster than that.

9 A. It was out of my-----

10 Q. You didn't know that at the time.

11 If you don't mind, take me to--because I know when you did
12 your intel debriefings, and your SERE debriefings, and all of that.
13 I think they were very careful to start at 9 July and go forward from
14 9 July and they were very careful not to go anywhere sooner than 9
15 July because they didn't want to interfere with this conversation.

16 Is that true? That is what I was told? That was the
17 effort anyhow.

18 A. That was their effort. It was within the next--so where I
19 picked up in the SERE debriefings was when I first met Mullah
20 Sangeen. They took me, from where they picked me up, they took me
21 directly into the mountains where Mullah Sangeen was. That was a
22 couple days.

1 Q. So let's go back then, because you have done a very
2 thorough job, from what I understand. Again, I didn't participate in
3 the SERE debriefings, the intel debriefings, the criminal
4 investigation debriefings, or any of that stuff. The word I got were
5 those things were all very, very, beneficial, very, very helpful.
6 Kim was glad to hear that, she said, "Make sure Bowe understands
7 that, because he will want to know that all of his suffering did some
8 good." I can't speak with authority on that because I wasn't part of
9 that process but my understanding is, all of your suffering did bear
10 a lot of value in those areas. For the SERE folks, absolutely--Doc
11 Poppin and that whole crew, for the intel de-briefers, and I don't
12 know who they were, and for the criminal investigator de-briefers,
13 and I don't know who they were, but my understanding is all that
14 stuff was really very, very, valuable. Which reinforces what I was
15 telling you earlier. It's why I didn't want to interfere with it.
16 It was important to do all those things. That's why I stayed out of
17 it.

18 What I would like you to do is, to the greatest extent
19 possible, take me from--is there anything you can add or need to add
20 from coming off guard shift, Gaughan replaced me, Gaughan came off of
21 guard shift, somebody replaced him, it was about midnight, you left
22 your one-man tent. You just brought the things with you that you
23 described earlier, went out, up the hill, the route that you showed

1 me earlier, by the school, up to the--on the west side of Malak
2 really, up over the small mountain range there, 0400 or so it becomes
3 daylight. You put on Afghan garb, continue off in that direction,
4 sometime, 0800 or so, somehow the sheep herder or somebody notices
5 you don't walk like an Afghan, even though it's hard to tell from a
6 distance. The Taliban show up on a couple of motorcycles, so pick it
7 up there.

8 First of all, is there anything you need to add backwards?

9 A. No.

10 CDC: Yeah, just hold that thought for one second. The pick-up;
11 we will just call that the pick-up point. Going back a bit, there
12 were references in the AR 15-6 to the disposition of your personal
13 property, right? Is that worth a minute to comment on?

14 I/O: Sure.

15 CDC: Your computer and stuff, it's a loose end.

16 I/O: If you want to go back forward, the question would be, you
17 mailed stuff home?

18 A. Yeah.

19 CDC: What's that about?

20 I/O: What did you mail home and why did you mail it home?

21 A. The understanding was that I was going to get myself into a
22 huge amount of trouble. I'm in the Army. One of the first things I
23 was taught was that they were going to steal. Someone is going to

1 steal from me. So my personal belongings were going to be one of the
2 first things I would lose control of is who deals with my personal
3 belongings. My computer, my journal, and a couple books. I had a
4 couple books that had sentimental value for me, just in the sense
5 that they had meaning to me. I took those and I mailed them home to
6 my Godmother, Kim. I understood that once I come to the FOB
7 entrance, they will come pick me up and right there I am going to be
8 arrested. I'm going to be in-processed from there and I am going to
9 lose all control over my own effects and anything else that I had.
10 The idea was to send those home, get them out of the way, so that
11 they were not stolen. That was just maintaining control over my
12 things that I had--that had sentimental value.

13 Q. So you mailed one box of stuff home to Kim.

14 A. I mailed one box----

15 Q. It was that stuff.

16 A. Yeah, my laptop, journal, a couple books, and my Kindle.

17 Q. You have read the open source reports as well as I have,
18 and some of it was in the 15-6, but you went to finance and withdrew
19 \$300?

20 A. Yeah.

21 Q. What was the plan--the purpose of that?

22 A. The plan was--running the simulation you try to take in--
23 one of the things I learned from reading is having cash to bribe

1 never hurts. When you are in a third-world country, dealing with
2 people, whether it's local or whether it's a sergeant, having cash
3 that you could use to bribe somebody for one reason or another never
4 hurts. Withdrawing that money was basically me covering a "what-if"
5 scenario. What if I'm walking along and some guy sees me, stops and
6 goes, "What are you doing?" I need options at that point. Having a
7 bunch of money and giving him a bunch of money, you know. Or if he
8 has a gun and wants to rob me, then if he gets a lot of money he is
9 going to be happy with himself and he's not going to be mad or
10 disappointed. He is going to take everything from me and he's going
11 to go, "Look what I got." And then he is going to go his way, not
12 wanting to tell anyone because he has a whole bunch of money. It was
13 to cover that, "what-if" situation.

14 Q. Did you leave it in dollars or did you convert some to
15 Afghani?

16 A. I got some Afghani.

17 Q. When you withdrew it from finance, you got some in Afghani
18 and some in U.S.

19 A. Some in U.S., yes.

20 Q. Was that all in your wallet when you departed then?

21 A. Yes.

1 Q. I am trying to think if there were other--since you brought
2 that--did you--the infamous lieutenant colonel familiar with the
3 investigation said you left a note back on your bunk.

4 A. No, I didn't leave anything.

5 Q. You did not leave a note----

6 A. No.

7 Q. There is no evidence of that, but it was reported in a
8 couple of news--actually one news source reported it and the others
9 kept reporting it.

10 CDC: Which reminds me, just another one of these odds and ends,
11 there were reports that you "wandered off" in the past.

12 A. I don't know----

13 CDC: What is that about?

14 A. I've never wandered off...that would be considered
15 wandering off. When we were up on the OP making trips to the TCP was
16 a common thing we did. We would have to hike from the OP down to the
17 TCP. A couple times I took aid to the Afghan guys. It was--I can't-
18 -if someone said that he wandered off 50 feet from where the OP was,
19 to go to the bathroom or something like that, that could easily be
20 blown up into, "Oh, he wandered off on a regular basis."

21 Did I ever leave a patrol or did I ever leave the OP to go
22 cross what would be considered a safe zone? No. I never did
23 anything like that.

1 Q. I can offer a possible explanation for that. I am reaching
2 a little bit, but it is very plausible in my mind. You had mentioned
3 in some of your correspondence on e-mail or Facebook to home. I
4 don't recall who it was that you were sending it to, it might have
5 been Kim or Kayla, you had mentioned that, "I am going outside the
6 wire" but you were referring to leaving Sharana and going to COP
7 Mest. Someone who is not familiar with that would see that and
8 interpret that as, "I'm going outside the wire again." I can't
9 remember exactly the words you used, but you were--he was referring
10 to leaving FOB Sharana, the big base, and going out to the smaller
11 base, the smaller COP. Someone who is not familiar with the
12 terminology or the terrain would misinterpret that and say, "He did
13 this on a regular basis."

14 Is that a reasonable explanation? I am not saying that's
15 correct----

16 A. Yeah, that would be an explanation because in those
17 correspondence I never explained that I was leaving the FOB and going
18 to--I just said, "We are leaving the wire. I am going out of the wire
19 again tomorrow."

20 CDC: Did other people do the same thing?

21 A. Write home like that? I don't know.

22 CDC: No, not writing home but----

1 A. What, leaving the wire? Yeah, my whole platoon left the
2 wire.

3 CDC: Yeah, this has been cast in kind of a snotty way.

4 I/O: I agree. I concur with you. I mean, my--we don't see any
5 evidence that this is a regular occurrence, that you did this all the
6 time. We looked into that. We were trying to find--how do we
7 corroborate this? Or how do we negate it? I was not able to
8 corroborate it and the way to negate it was this understanding that,
9 when you are writing home you are going to say, "I'm going outside
10 the wire." That's like leaving a large base out on a patrol. You're
11 leaving the wire. You're not wandering off on your own. Everybody
12 would refer to it that way. Everybody would misunderstand it on the
13 other end too.

14 CDC: Yeah.

15 SBJ: Yeah.

16 I/O: It's kind of, partly, what PFCs do. Frankly, generals do
17 it too; everybody embellishes when they write home. It's part of the
18 thing. It's part of the romanticism.

19 CDC: Before you pick-up with the pick-up point, let me make a
20 head call. Maybe everybody will do the same.

21 I/O: Yup, okay, sounds good. Five minutes.

22 [The interview recessed on 6 August 2014.]

23 [The interview resumed on 6 August 2014.]

1 Q. Sergeant Bergdahl, let me ask you--we were on this talking
2 about other things that were out there, the computer, understand why
3 you mailed the computer home, understand the cash withdrawal.
4 Eugene, you had brought up allegations that you had walked off or
5 were previously outside the wire. We nailed that one. I did talk
6 to, it was in the 15-6, I can't remember whose statement it was, but
7 they talked about NTC. That you had gone outside the wire or you had
8 been practicing your stealth, crawling around at NTC.

9 Did you read his statement?

10 A. I briefed over it. I know what he is talking about.

11 Q. Is it accurate? Just give me your version of it. I won't
12 ask you if it is accurate or not. Just tell me your version; that is
13 more important.

14 A. So towards the end of NTC we had firing ranges. One day it
15 was our turn to run an M4 qualifying range. We get out there and all
16 we were supposed to do is just run it. So there is a lot of us just
17 sitting around, everybody else is qualifying. I'm a SAW-gunner, so
18 there wasn't much to do. I asked Sergeant Duffy, "Is there anything
19 you need me to do?" He said, "Nope, just stand-by." Well, Chris--or
20 Cross, Private First Class Cross, and Private First Class Barrow,
21 they were the two gun teams. The two senior guys on the gun team,
22 the biggest guys, the tallest guys on the gun teams. They were
23 responsible for sitting out by the entrance to the--the entrance to

1 the range, what they were supposed to do was make sure nobody came in
2 and they were supposed to raise and lower a flag, something like
3 that. All they were doing was lying out there by the entrance to the
4 range which was maybe 50 yards off. It's NTC. Of course it's a
5 desert, so you have very open ground except bushes. Typical desert
6 cacti or bushes that you would find in the desert. So the range
7 would be here and they are firing off that way. Over here, would be
8 the entrance to the range. So the road would go this way and then
9 the road would come into range. All this, so there's the road, and
10 right here there is just wild ground, desert ground with bushes and
11 rocks and stream beds, very open ground. So like I said, maybe 50
12 meters in-between where they were and where we were. So nighttime
13 came and we weren't doing anything. People were still trying to
14 qualify. Last word we got was that we are going to be here until
15 we're done. It's going to be forever. I'm sitting here doing nothing
16 so I decided, well, because I had done something that me and some of
17 the other guys in my basic training did. When we were at FTX we took
18 turns at testing each other, seeing--sneaking up on each other,
19 seeing how alert we were. A lot of us were falling asleep and we
20 were trying to keep each other awake. I got into my--let's sneak up
21 on these guys because Cross, he likes, he wanted to go Ranger but he
22 got into Ranger but decided not to do it because it was too much
23 yelling. It's his personal choice. He got out of Ranger. So he's

1 just a funny guy [good humored guy]. And Barrow's a cool guy. They're my
2 friends. So I decide, 'All right, well I'm going to play a trick on them.
3 Let's see if I can sneak up on them.'" So I take my boots off and I
4 basically use my sense of direction to try and hone in on them in the
5 dark. I took my NODs with me and that kind of got me halfway. But
6 then I--because what I was going to do was I was going to crawl over
7 all along the ground. You can't have NODs when you're crawling on
8 the ground. So I took my boots off, put my NODs in my boots, left my
9 boots there. And then so I basically went this far with my NODs and
10 when I was about here I got rid of them and then crept up on them and
11 I got within probably five feet before they heard me and Cross got up
12 and started looking around and then he saw me, right? So that was
13 just, you know, an idea. "See what I could do."

14 Q. Okay.

15 A. We're supposed to be having war games.

16 Q. Sure, right.

17 A. This is supposed to be training.

18 Q. Right.

19 A. We're supposed to be--if they're on guard duty----

20 Q. Right.

21 A. ----how alert are they going to be? You know, it was just
22 basically fooling around, kind of.

23 Q. Why did you take your boots off?

1 A. Because they make too much noise.

2 Q. Oh.

3 A. I was literally on all fours creeping towards them, kind of
4 like a Native American would be in moccasins or whatever, just
5 creeping toward them.

6 Q. Some of the report is about, I think, it was Cross. Does
7 Cross have a .09 mil?

8 A. Yeah.

9 Q. Okay, so you guys were asking these guys about, "Hey, what
10 would happen if your .09 mil was missing and all that?" Tell me what
11 your thinking was. First of all, is that true?

12 A. Yeah.

13 Q. And then, you know, what were you thinking?

14 A. So Cross was the gunner in the truck that I was supposed to
15 provide security on. And I was sitting in the truck in the daytime
16 and Cross was there and he basically--you know, because I was a
17 little annoyed about the fact that the Army's not giving us side
18 arms. You know, just because when I got over there it's like, you
19 know, give me a little more than--I'm a SAW gunner.

20 Q. Right.

21 A. I'm supposed to--I run out of ammunition, that's a lot of
22 effort to get another round, another drum on there.

23 Q. Something in the meantime.

1 A. Give me a .09 millimeter because if we're going to be doing
2 close quarters and it gets bad, I'd be more comfortable if I had a
3 side arm but they weren't doing that. So I was sitting there and I
4 saw him. He basically just--you know, when we got to the TCP, he
5 took it off and just chucked [he actually just placed it in the truck] it
6 into the MRAP and it was just sitting there. I'm going, "Dude, what--you
7 just--why don't you have it on you? Because if I had a handgun like that,
8 I'd have it on me." So, I'm like, "Why don't you have it on you?" And he's
9 like, "I don't need it on me." And I said, "Well, what if it disappears?
10 What if someone takes it? It's a .09 millimeter. You know, we've got Afghan
11 guys walking past here." So I was like, "Why don't you keep it on
12 you?" He's like, "I don't need to keep it on me." Now, the other
13 interest I had with the .09 millimeter was, that briefly crossed my
14 mind was I'm not stupid enough to know--I know that it's dangerous
15 out there. And I know I'm going to need a weapon. I'd be more
16 comfortable with a weapon, obviously. I'm going out into a war zone.
17 I wish I had a .09 millimeter. Had I had a .09 millimeter, I would
18 have made it to the FOB or I would have made it to Sharana because I
19 would have been able to--or maybe not. But I would have had a----

20 Q. You could have killed the two guys on the motorcycle.

21 A. Yeah. Yeah, it was because--when they approached me it was
22 like I couldn't do anything. If I ran, they would--but when they
23 approached me, they didn't know what they were dealing with when the

1 first approached me. They didn't know I was an American right away.
2 They were more confused about me than anything else. Had I had a
3 projectile weapon that could keep that distance between me and them,
4 then I could have done something.

5 Q. Okay.

6 A. But I didn't. And the reason why I didn't take the .09
7 millimeter with me was because he answered my question. I said,
8 "What happens if your 9 millimeter goes missing?" He said, "I'd get
9 in a lot of trouble. That's my sensitive item. I've signed for it."
10 You know, he explains it, not those exact words, but he explains that
11 to the extent of if that goes missing, I get in trouble.

12 Q. Right.

13 A. Now my whole point of doing what I was doing was to make
14 sure that these guys were protected. Causing trouble for him
15 unnecessarily because if I took his .09 millimeter, then they'd be
16 like well, you knew about it. You helped him. Now you're, what is
17 that, an accessory to all that. So I didn't want to put him in that
18 position. So I was just like, all right, you know what? I'm safe
19 because alls I'm doing is going from point A to point B. I'm
20 physically fit. That's the worst case scenario. I've got my *Jamay*.
21 They're not going to know it's me or know it's an American. So I was
22 just like, you know, I'd just leave it. I'll take knives. You know,

1 and that was--so that was why I asked him that question. He
2 explained it and that is why I left the .09 millimeter behind.

3 Q. Okay. Yeah, and I think that in our conversations with
4 your platoon mates they all understand that and believe it, believe
5 it or not. I mean, even the ones who have been saying some unkind
6 things who I'm not sure you should be too hard on----

7 A. No, I----

8 Q. ----because again, these guys are getting exploited just
9 like everybody else is.

10 A. Yeah.

11 Q. They all--I mean, I would ask them before you and I had a
12 chance to have this conversation, I'd ask them, "Does it make sense
13 that he would depart the COP but not take his weapons with him?" And
14 they said, "Well, he didn't want us to get in trouble." I said,
15 "Does it make sense that he would leave the COP and yet he'd be
16 worrying about you guys getting in trouble?" And most of them said,
17 "If you know PFC Bergdahl, that makes sense. He did not want for us
18 to get into trouble."

19 A. Yeah.

20 Q. So it's not--it doesn't make a lot of sense to a lot of
21 people. There's not a tremendous amount of immediate logic to that.

22 A. Yeah.

1 Q. So you got to understand why people would be confused by
2 that.

3 A. Yeah, I understand.

4 Q. But when you work on it for 52 days and then I have a
5 chance to talk to you, I can kind of see it.

6 A. Yeah.

7 Q. So, okay. A lot of speculation about whether or not you
8 had help or didn't have help leaving the COP. I mean, Ice Cream,
9 Crazy Eyes, these buddies of yours in ANP or whatever. Did they help
10 you?

11 A. No.

12 Q. Did they look the other way? Did they know about it?

13 A. No.

14 Q. I mean----

15 A. My interaction with those guys was my attempts to COIN
16 basically. And growing up, my family being the Christians, made it a
17 point of--in the area that we lived in, in the rural area of Idaho
18 out in the country there was a huge ranch that was nearby that owned
19 like--this rancher, he was called Falconer and he owns, basically
20 owned that area. His ranchlands stretched for more miles than I knew
21 about.

22 Q. Okay.

1 A. And what he did was he was a sheep rancher along with a
2 cattle rancher and everything else. So growing up what would happen
3 was these sheep herders that would be hired out of Chile or Peru
4 would take these sheep camps and push these sheep past our house and
5 up into the northern mountains to feed them.

6 Q. Yeah.

7 A. So my parents made it a point of being missionaries and
8 every Saturday or every other Saturday or Sunday, whatever it was,
9 during the season that the shepherders were out there, we would
10 drive out into the middle of nowhere to meet these guys because
11 they'd spend the majority of their summers with conversation with
12 nobody. So they'd be extremely happy to see somebody. So I grew up
13 with an understanding of how you interact with people from another
14 country and how to be sympathetic, to be understanding, what it is to come
15 from a third world country, what it is to be a person who doesn't
16 speak English, interacting with another person who speaks a different
17 language. So I grew up understanding that if you try to connect--if
18 you're trying to connect to somebody who is from such a vastly
19 different place, you have to make that connection through actions.
20 So what I was trying to do because these guys, they're up on the hill
21 with us. If something happens, we're relying on them to help us in
22 the battle.

23 Q. Sure.

1 A. Pissing them off or doing something to insult them, that's
2 going to get a bullet in our back.

3 Q. Right.

4 A. You insult that guy, well, you never know, he might be the
5 guy with the RPG who decides to accidentally swing that thing towards
6 our direction. So I understood that. So my interaction with these
7 guys was basically it was like interacting with the Peruvians or the
8 Chileans.

9 Q. Okay.

10 A. It was trying to get past the language barrier through
11 actions. Smile. Try to use your understanding of local culture.
12 Tea is a very big thing there so when they bring tea, don't say, "No,
13 I'm not going to drink it." Because that's an insult. They're
14 trying to be hospitable. You might not like the tea.

15 Q. Right.

16 A. But you should drink it because it's a sign of, "Hey, we're
17 working here. We're friends here. We're not enemies. Don't shoot
18 me in the back when a firefight comes." Right? So that's what I was
19 doing with those guys.

20 Q. Okay.

21 A. PFC Coe, Joseph Coe, his family, they were missionaries
22 down in South America for years. I mean, he speaks their language
23 because, you know, he speaks Spanish.

1 Q. That's not the guy from Brazil.

2 A. No, that's Nascimento. He's from Brazil.

3 Q. Okay.

4 A. But so Coe understood what I was doing. And he kind of, he
5 was going in the same direction that I was going. If we're going to
6 work with these people, you've got to meet them on the level of their
7 culture and get past that. So that was what I was doing there and
8 that's what everybody saw me doing. Did they help me? No.

9 Q. Okay.

10 A. Did I have that level of communication with these guys?

11 No.

12 Q. Okay.

13 A. I knew--like interacting with them socially is one thing.
14 But did I trust them far enough to trust them with something like
15 this? No.

16 Q. Okay.

17 A. They were Afghans.

18 Q. Okay, okay.

19 A. I knew enough of--I had a general gist of Afghan people and
20 I also saw--it gets really complicated but it's like if you look at
21 their culture and you look at these people and how they live their
22 lives and then you put them and you take American Soldiers, which,
23 I'm sorry, aren't the best examples of America, and you put them in

1 front of these people as representatives as Americans, they're going
2 to see--they're not going to see the best side. Especially the
3 interpreters. The interpreters riding in the truck, they're
4 listening to all the conversations that are going on. All right,
5 guys are going to be talking about what they're talking about. Okay,
6 according to the Afghan culture, they're extremely--they're
7 different. So what we think is completely fine to talk about, well,
8 we don't think it's disgusting. I personally find it disgusting when
9 you're talking about women as inanimate objects or something like
10 that. I find that disgusting. But I was raised in more----

11 Q. Feminist, self-professed feminist.

12 A. Yeah, self-professed feminist. So that's insulting to me.

13 Q. I understand.

14 A. But you know, the typical Soldier has no problem with it.
15 That's just conversation.

16 Q. Right.

17 A. So I'm aware of what our actions are portraying to these
18 people.

19 Q. Okay.

20 A. All right. And unfortunately the general perception is not
21 going to give them reason to feel warm fuzzy feelings for us. One
22 time, I'll give you a good example. We're heading out to the TCP and

1 we pass one of their trucks that hit an IED. It blew up the front
2 end.

3 Q. An ANP truck?

4 A. Yeah, it was an ANP truck. It was one of those little
5 Dodge----

6 Q. Green pickups?

7 A. Yeah, little green pickup trucks. They hit an IED. The
8 floor of the passenger seat was bubbled up. The guy who was sitting
9 there I'm pretty sure lost his feet. Ironically, that was the one
10 guy who I was more familiar with so that kind of--he was the one guy
11 that I--if anyone was going to say, "Well, that guy helped him,"
12 well, he wasn't even there. So here we are, we're driving along this
13 road and we see these guys standing off to the side. Their truck
14 just got blown up. That guy got raced to the hospital. Now, a
15 friend--friends who are supporting each other in a combat field
16 should have stopped, got out of their trucks, went up to them and
17 say, "Hey, how's it going? What's going on? What do you need? What
18 can we do? Do we need to get you guys somewhere? Do we need
19 support? You know, have our medics check you all out. We got that
20 guy with the worst wounds to the hospital but a blast is going to get
21 your ears ringing, maybe your eyes,"--you know, something. We would
22 have checked on them. But instead, what did we do? We just keep
23 driving. Like, "Ah, forget you people. We don't care." They're

1 standing off to the side of the road in the middle of the desert
2 flatland in the middle of the blazing sun, stopping and giving them
3 water or something like that, would have been saying, "Hey, we're
4 working with you guys. You're our friends. We're here doing the
5 same thing. We're supporting you. You support us. That's how it
6 works." But instead, what do we do? We just keep driving like we
7 don't even care. All right. Now, you might say I'm over thinking
8 it, however, what I'm doing is, if I was standing on the side of the
9 road and here comes the Americans in their extremely expensive,
10 extremely heavily armored, protective vehicles that just look really
11 cool. Here they come, these are the guys that we're risking our
12 lives for. These are the guys that the Taliban keep telling us the
13 moment these guys leave, we stop blowing you up. So these are the
14 guys that we're supposed to be supporting, here they come moving down
15 the road and they don't even care. They don't even stop. They just
16 keep going. If I was standing on the side of the road, I'd feel a
17 little annoyed about the situation. I'd feel like we're just--we
18 don't even matter. I don't even matter. We just got blown up. They
19 don't even care. The Taliban over here is telling us, "Oh, we'll
20 stop killing your family members the moment you guys stop allying
21 with these guys." So I'm aware of that situation. I'm also aware of
22 the situation that when you have the Taliban saying, "We stop killing
23 your family members the moment you start working for us," you don't

1 trust them. You don't trust the interpreters. In fact, I ended up
2 learning later that that was one of the main sources of information
3 for the Taliban were the interpreters sitting in those trucks,
4 listening to privates running their mouths about this or that and
5 then that information goes back to the Taliban.

6 Q. How about the couple of interpreters that you had on the
7 COP with you? Did you know them and did you know them well?

8 A. I didn't know them well.

9 Q. Okay.

10 A. I knew--like I had spent--I didn't converse with them to
11 any full extent. It was like, you know, because I'm the person that
12 doesn't make a habit of talking to people.

13 Q. Right.

14 A. I spend more time listening to people. Like my interaction
15 with the Afghan guys that didn't speak English was a visual action.
16 I didn't talk to them. You show interest in trying to write down
17 words like water, bread, whatever. And they're like, "Oh, this is
18 really cool. This guy is trying to learn our language." Yes. Some
19 words would be an intelligent thing to know. But it also looks good
20 because it shows that you're interested in----

21 Q. Making an effort.

22 A. Yeah, you're making an effort. Did I talk to the
23 interpreters? No, I didn't talk to the interpreters.

1 Q. Right. Different.

2 A. Yeah, it was a different----

3 Q. Okay. Good. Why did you pick--you had a very deliberate
4 plan. Was the actual day that you were departing part of your plan
5 or did it just happen to be a target of opportunity and you took
6 advantage of it or was it that particular morning or that evening
7 that you had planned on going? And if so, why did you choose that
8 particular time?

9 A. I chose that particular time because that should have been
10 the last day that we were on the TCP, which meant that the third
11 platoon would have been prepared to come out.

12 Q. Okay.

13 A. So that meant when DUSTWUN was called out, those guys would
14 have already been ready to come out.

15 Q. Okay.

16 A. And so there would have been that support. There wouldn't
17 have been a lot of--everybody, it was the end of our turn out there.
18 Everybody is getting ready to leave.

19 Q. Right.

20 A. So everybody would have been already more or less packed or
21 more or less in the state of mind that would have been like, "Hey,
22 I'm going to leave now." So there was--basically, when we got out
23 there, I wasn't saying this is when I'm going to go. I was looking

1 at the right time for the right moment. My idea was the last day
2 because of those--because of that thought. But at the same time
3 there was the thought of--there was the thought of guard shift.

4 Q. Right.

5 A. I needed that cushion.

6 Q. Right.

7 A. So the guard shift that night just happened to work out
8 just right that I had that cushion. Other than that, I can't
9 remember what the other guard shifts had been like the nights before
10 but that was--that worked out that night. It should have been the
11 last night. The guard shift worked out.

12 Q. Okay. And it was second and third platoon. You guys just
13 kept going back every four days.

14 A. Yeah.

15 Q. You'd swap each other out. Why not wait until your next
16 rotation out there after third platoon came off?

17 A. Because it was time sensitive in the fact that the shift
18 that I'd kind of felt or that was kind of rumored or was going on
19 above us like our first sergeant was supposed to be shifting out and
20 we were supposed to be getting a new first sergeant.

21 Q. Okay.

1 A. From what I could see, things were starting--things were
2 shifting in the wrong direction at that point. So the longer I
3 pushed it out, the more likely something could happen.

4 Q. Okay.

5 A. So instead of waiting, it was basically, you know, if I
6 waited another week, what if during that week we get sent out because
7 we're QRF.

8 Q. Right.

9 A. We could get sent out to do anything.

10 CDC: What's QRF?

11 A. Quick Response Force.

12 Q. Quick Reaction, yeah.

13 A. What if something like Omna happened again? What if
14 something else happened?

15 Q. Okay.

16 A. So it was time sensitive in the fact that here we are,
17 we're on the TCP, we know we're on the TCP, we know the routine here.
18 What can happen is there's an IED in the road--well, we've dealt with
19 that before and the guys so far haven't put an IED big enough to do
20 much to an MRAP. So I knew that there was that much predictability.
21 But the longer I pushed it out, the bigger the likelihood that things
22 would shift. And then there was the rumor, private rumor, that the
23 TCP was going to be handed over to somebody else.

1 Q. Okay. And then remind again why not just rotate back to
2 Sharana later that day and then go find the general that you wanted
3 to talk to?

4 A. Because what I believed from where I was standing was if I
5 just went to talk to the general, he wasn't going to listen to me.
6 If I just walked into his office as PFC Bergdahl and started talking
7 about so-and-so's not fit, so-and-so isn't--you need to investigate
8 this, you need to investigate this. He's going to laugh at me.

9 Q. Okay.

10 A. And say, "You don't know what you're talking about. You're
11 a new private. This is your first deployment. You're annoyed
12 because you just got an Article 15." He's not going to listen to me.

13 Q. Okay. Do you remember what your punishment was on the
14 Article 15?

15 A. The Article 15 was something like misconduct or uniform----

16 Q. Did they take your money or did they bust you from PFC to
17 PV2?

18 A. No, they didn't do anything like that. They just----

19 Q. Extra duty or?

20 A. Nothing like that. It was just like, here, sign this.
21 This is your Article 15. Everybody sign it. You signed it and then
22 that was it.

23 Q. Okay.

1 A. We didn't get anything else. The two sergeants got
2 demoted.

3 Q. Okay. So it was more like almost like a warning rather
4 than a direct punishment?

5 A. Yeah, yeah.

6 Q. Okay. But an admonishment anyhow?

7 A. Yeah.

8 Q. I mean, it was clear you were being admonished for----
9 CDC: We haven't seen the Article 15 form.

10 Q. No, and I wouldn't because if it's not a noncommissioned
11 officer they don't retain them in official records.

12 CDC: The local file.

13 Q. Yeah, unless you have one we will probably never see it.

14 A. No.

15 Q. And then again, I understand why you wanted to talk to the
16 general. I understand why it had to be this way otherwise you would
17 just never get a credible audience with him and you explained a
18 number of leaders that you just--ones you were complaining about,
19 obviously they weren't the ones you were going to go see. But what
20 about Lieutenant Billings? What about your squad leader? What about
21 your team leader? I mean, there's a bunch of leaders that we haven't
22 talked about and you sort of glossed over those guys as potential

1 open-door policy or--you understand the military well enough even as
2 a PFC after basic training----

3 [A]. Yeah.

4 [Q]. ----that there's a chain of command.

5 [A]. Yeah.

6 [Q]. So I do understand why you wouldn't have gone, based on
7 what you described, why you would have been uncomfortable going to
8 the battalion commander, the sergeant major, Duffy, some of these
9 other guys. But what about Billings? What about Jimenez? What
10 about Silvino? What about your squad leader, your team leader?

11 [A]. Yeah. From what I could see was, well, my team leader,
12 which was Sergeant Buetow, we were back at Fort Rich one day and we
13 were in the dorms, or the barracks, sorry. We were in the barracks
14 and one day he said, "Where else could you have a job where you get
15 paid to do nothing all day?" And he was sitting there in the
16 barracks playing video games. He was also the one who was playing
17 video games during NTC. He was my team leader. He was immediately
18 in charge of me. His approach was extremely lax, to say the least.
19 He never checked my equipment. He never checked me on the way out.
20 He never did anything other than I made the effort from what I
21 remember it was me, I had to make the effort of going to him and
22 saying, "What's next?" I had to make the effort of going to him and
23 saying, "I'm ready. I've got everything." He'd make a very casual

1 just, you know, if you had to do something, he'd rather--otherwise
2 he'd rather be in his room playing video games or something like
3 that. He didn't----

4 Q. Okay.

5 A. You know, he was a nice guy but as far as being an NCO in
6 the middle of a military combat field, you know, he wasn't somebody
7 that if I went to him and said, "This is what's happening," he's
8 going to say, "That's just the way it is. Don't worry about it.
9 Keep your head down. You're a private." You know, I knew that was
10 going to be his advice. If I went to him and said, "We need to do
11 something about this," what I was suggesting is career threatening.
12 And from his comment back in the states, he's there for a paycheck.
13 He's there because he's the cool guy, he's got the rank, he's got the
14 paycheck, don't rock the boat.

15 Q. Okay.

16 A. Keep your head down.

17 Q. Okay.

18 A. And just play the game. He didn't care. My squad
19 sergeant, which was Sergeant Gerleve, the problem with Gerleve and
20 Buetow, also there's another thing. When I got to my unit at FOB
21 Sharana, I was supposed to be on Gerleve's squad but Gerleve's squad
22 was somewhere else.

23 Q. Right.

1 A. And they were at a different FOB with a rotation.

2 Q. Right.

3 A. And so I wasn't with them. I was under Sergeant Louis's
4 command.

5 Q. When you very first arrived?

6 A. When I very first arrived.

7 Q. Yeah.

8 A. So when they came back it was just within the week that
9 everything was happening. So they weren't really there. They
10 weren't really up to speed on anything. So and Gerleve, he's not the
11 type of guy who's--he's the type of guy--he has a lot of talk.
12 Unfortunately, what sounds good, it doesn't convert into actions a
13 lot of time. So what I saw, the kind of character I saw from him
14 was, you know, he wanted to be the--he liked to talk the tough guy,
15 kind of the bad boy act or rebel act of not necessarily talking back
16 to command but--it's hard to explain. But he was talk. He didn't
17 have any pull, literally. And he was also concerned--he also had a
18 paycheck.

19 Q. Okay.

20 A. And he's also the type of character that would say, "Suck
21 it up." If I went to him and said, "This is a problem, they're unfit
22 for duty," he's gonna say, "That's not your job. That's not your
23 concern." He's gonna listen to me and he's going to say, "Okay, got

1 it." Is he going to risk his career? No. Is he going to go to the
2 higher up? Yeah, he might go to the platoon sergeant and mention it
3 to the platoon sergeant. And he might go to Captain Silvino maybe.
4 But what's going to happen? He's going to go there and say, "Well,
5 one of my privates has issues with the BC." "Why does he have issues
6 with the BC?" "Well, he says his conduct is not fitting for a BC."
7 "Who is he to say that? He's a private." It's not going to--he's
8 not gonna push it.

9 Q. Okay.

10 A. He's not going to go demanding action. If he brings it up
11 at all, he's just going to say he has some issues, but don't worry
12 about it, I've already cleared it away. And the way he cleared it
13 away was telling me, "Suck it up. That's not your lane."

14 Q. Okay.

15 A. And then after him would have been Sergeant Duffy, Sergeant
16 Hine, platoon sergeant.

17 Q. Right.

18 A. After them would have been first sergeant. First sergeant,
19 I got the impression he just didn't care. That was his last
20 deployment. He was there for a paycheck. He's not the type of guy
21 to risk his career on a last deployment to rock, causing upheaval.
22 He's the type that he's a very laid back kind of guy.

23 Q. This is Jimenez, right?

1 A. Yeah, this is Jimenez, First Sergeant Jimenez. One of the
2 things, when we were in NTC he'd always ask guys, "Who has
3 handwriting like a girl?" Because he wanted someone who could write
4 clearly. Because he needed someone to write out a list for him
5 because apparently his handwriting wasn't good enough or apparently,
6 I don't know what was going on. But he was always having other
7 people do this for him and I was like, "Why, because maybe you don't
8 have enough time or maybe you just don't have good enough handwriting
9 that you needed to hand somebody a list and make sure that it was
10 completely clear?" I don't know. But he didn't strike me, you know,
11 he didn't strike me as a very active person. He wasn't a hands on
12 person. He wasn't in the platoon making sure everybody--getting face
13 recognition and saying, "How's it going?"

14 Q. Yeah.

15 A. He was very laid back. And I'd go to him and say, "So-and-
16 so's out of"--you know, he's going to tell me the same thing. He's
17 going to say, "That's understood," but, you know, in that accent that
18 he has, but he's going to say, "It's not my job. It's not my
19 problem." And the other problem was he was being replaced.

20 Q. Okay.

21 A. The words that we heard was that he was being replaced. So
22 either it was a voluntary thing that he was saying, "I'm washing my
23 hands of this unit and I'm out of here."

1 Q. Right.

2 A. Or it was the BC saying, "All right, I'm replacing you and
3 you're out of here," which means he's already in disfavor, which
4 means if he started doing something, he's really risking his career
5 and this is his last deployment. Why should he risk his career? Why
6 should he risk losing face or losing rank or losing anything on his
7 last deployment for a private who's saying something that's far above
8 his head?

9 Q. Okay.

10 A. Captain Silvino, out of all of them, you know--okay, first
11 there'd be Lieutenant Billings as officers. Lieutenant Billings,
12 he's a Ranger RI. I go to him, I say, "I got problems with"--he's
13 going to say, "Yeah, it's messed up. Suck it up. Drive on." That's
14 going to be his solution. That's the type of guy he is. He's going
15 to say, "Yeah, it's messed up. That's the regular Army. You want to
16 get past that? Go Ranger or go SF. But this is the regular Army.
17 You're going to have that. Nothing you can do about it." He'll
18 probably go through the whole situation of saying, "You know what?
19 We're already stressed for people. Higher command isn't going to
20 start replacing higher commanding officers in the middle of a
21 battlefield in the middle of a tour just because some private has
22 some scruples with how he's doing things."

23 Q. Okay.

1 A. So that was my perspective. I was looking at him, I was
2 going--he's not going to go to the general and say, "Hey, general, I
3 have a private here that says that this battalion commander is not
4 fit for duty." It's ridiculous.

5 Q. Okay.

6 A. You're going to laugh at me.

7 Q. Mm-hm.

8 A. You know, and the same was for Captain Silvino. If I went
9 to Captain Silvino, he would listen to me. He was, probably out of
10 all these people, he would have been the clear-minded guy that would
11 have listened to me and he wouldn't have laughed it off. However, he
12 would have told me the same thing. The prospect of launching an
13 investigation and putting the BC, the sergeant major under
14 psychological analysis, under investigation, he's going to say,
15 "We're not doing that. They're not going to do that." If I go to
16 the general and I suggest this, you know, they might ask some
17 questions but what they're probably going to do is they're going to--
18 the general is going to call up the BC and say, "What's going on?"
19 And the BC is going to have his whole spiel of, "Well, I'm in the
20 right. This guy's a private. I don't know what they're talking
21 about. Let's see some proof," or whatever. You can see that it was
22 like a dead end, you know? Nobody was going to take this newbie

1 private first class, first tour, just got in the Army, no one's going
2 to listen to this guy.

3 Q. Right.

4 A. Over a BC, over a captain, over a first sergeant or
5 sergeant major. Alls it's gonna take to put the general off is the
6 sergeant major saying, "Oh, yeah, this guy that got the Article 15."
7 Or "Oh, he's just a private. Don't worry about him." Everything's
8 under control. We're adjusting to make up for what's going on.

9 Q. Okay. It begs the follow-up question, which is how could
10 you arrive at such a strong conclusion, you know, after only five
11 weeks in country?

12 A. Yeah.

13 Q. Because you got there like around the 11th of May.

14 A. Yeah.

15 Q. And by 30 June you've decided the only way for me to fix
16 this is to get to a general and the only for me to get to a general
17 is DUSTWUN. I mean, that's very, very bold.

18 A. Yeah.

19 Q. I mean, you have to admit, that's a very, very bold move,
20 which requires a tremendous amount of conviction and it begs the
21 question, I mean, you've asked it so I'm now just asking it back to
22 you. How do you arrive there in just five weeks? And it doesn't
23 matter that you're a private. I mean, that does sort of compound it

1 a little bit, but whether you're a private or a lieutenant colonel or
2 a general or a sergeant major, I mean, five weeks is not a great deal
3 of time, particularly given as much movement--you know, you weren't
4 really anywhere for five weeks. You were constantly moving. So I
5 mean, it's a fair question and I just want to give you an opportunity
6 to expound on that.

7 A. So the judgment was based on interactions before. NTC.

8 Q. Right, okay.

9 A. I got--personality checks were started back at NTC.
10 Meeting the first sergeant, meeting the sergeant major, meeting the
11 BC, seeing them, watching them, listening to all the information
12 that's going down, that's coming from every which way. So the build
13 up to their, you could call my understanding of their character, my
14 feelings of their character, had started prior to that and it built
15 up. And basically it just kept--all the things that kept happening
16 just kept getting filed away, another one, another one, another one,
17 another one. So when it got to that point, and I look back on it
18 all, what I saw was just that it was that file of----

19 Q. Okay.

20 A. ----here's their reputation. Here's the repetitive habit.
21 Here's what their character has continuously done.

22 Q. Okay.

1 A. NTC, I saw the first sergeant, he was a very laid back guy.
2 He never was hands on. He never was--you know, he was just kind of
3 floating there. Sergeant major, you know, he showed his character at
4 NTC.

5 CDC: It sounds like the cumulative effect.

6 Q. Yeah, so it wasn't five weeks. It was from when you first
7 joined in Alaska?

8 A. Yeah.

9 Q. Through, you know----

10 A. Oh, yeah, all the way up.

11 CDC: Keep going. I'm going to hit the head for a second.

12 I/O: Okay,

13 CDC: I'll be right back.

14 [The civilian defense counsel exited the room.]

15 Q. Tell me about the email you sent home. I haven't seen it.
16 It was in the newspapers. I think it was----

17 A. *Rolling Stone* likes to quote it. That one?

18 Q. Well, I don't know. This is the one where I think you were
19 writing to your dad?

20 A. It's the last----

21 Q. But you said--no, it was about the NCOs. One of the NCOs
22 was telling you, telling all the privates to get out and the other
23 one was an ass-kisser.

1 A. Yeah, yeah.

2 Q. Or you didn't use those words but it was something like
3 that.

4 A. Yeah, that was----

5 Q. Okay, who were those guys? Who was the ass-kisser? Who
6 was the guy who was telling you to get out or can you put names and
7 faces to those?

8 A. The guys who were telling us to get out. It was more of a
9 general feeling.

10 Q. Okay.

11 A. You've met Sergeant Vierkant?

12 Q. Yeah, we talked on the phone. I didn't meet him.

13 A. Sergeant Vierkant and there was Sergeant Sauer, who's
14 probably Special Forces by now.

15 Q. He is. Sergeant Sauer is a Staff Sergeant in Special
16 Forces down in Colombia. I talked to him on the phone.

17 A. Yeah, so that was the guy I was supposed to go to Q-course
18 with.

19 Q. Right, yeah. He was the only guy I think who had a Ranger
20 tab in the platoon, right?

21 A. Yep.

22 Q. Yeah, yeah. And he's the one that they kept pushing up on
23 the OP after the problem with Sean Smith.

1 A. Yep.

2 Q. Yeah, so I spoke to him on the phone for a while.

3 A. So Sergeant Sauer, he was getting out in the sense he was
4 going Special Forces.

5 Q. Oh, I see. Okay, okay.

6 A. Then there was--Sergeant Vierkant and there was Sergeant
7 Schule, I forget what he was doing. But the general feeling was like
8 Sergeant Louis, it's spelled Louis but it's more Louis. There's two
9 Lewises in our platoon.

10 Q. Right, one was a specialist or a PFC.

11 A. Right, it was Lewis and then one was a sergeant and he was
12 Louis.

13 Q. Yeah, we haven't talked to that sergeant.

14 A. Yeah, he's the guy that if it's in the pictures that were
15 posted by the Guardian, he had the doo-rag on. He was a bit of a--he
16 knew the regulations. He was a bit of a rebel in the sense that he
17 wants to do--you know, he wants to push a little on the confines.

18 Q. Yeah.

19 A. But he knew what he was doing. He knew the 240. He knew
20 the gun systems. He knew what he was doing. So on those stupid
21 little details, he liked to kind of push back because, you know,
22 we're Americans, we're rebels, you know, bad boys, whatever.

23 [The civilian defense counsel reentered the room.]

1 A. But basically, these sergeants, the general theme, the
2 general feeling was these guys are getting out. They're basically
3 saying because we're pulling up all these--Corporal Gaughan, who's
4 going to be sergeant soon because he's kissing the ass of Sergeant
5 Hine and Sergeant Duffy and Sergeant Komes is in cahoots with it.
6 Sergeant Gerleve, you know, he's playing the game too. So it was
7 basically, I'm trying to, in my letter to my dad, which you
8 understand was a private letter to a private person so I didn't have
9 to explain myself in intimate detail as if I'm in front of a jury,
10 right? So what I was trying to do was trying to compress everything
11 into a general feeling of this. That's why I said good sergeants are
12 getting out, literally. Sergeant Vierkant, this was his last
13 deployment. Sergeant Sauer, he was going Special Forces. There was
14 nothing stopping him. And I knew he was going to finish the Q-
15 course. And Sergeant Schule, I don't know what he was trying to do.
16 But Sergeant Louis was getting out and it was his last deployment.
17 Sergeant Leatherman, that was the other one. Sergeant Leatherman, he
18 was making a career out of it, very cocky guy. He has a lot to say
19 about things. But he knew what he was talking about. When push came
20 to shove, he knew what he was talking about.

21 Q. Okay.

22 A. He had some issues of people would call him a know-it-all,
23 but, you know, who isn't? Especially when they're trying to prove--

1 in that environment when you've got a bunch of guys together, they're
2 always trying to one-up each other. So these guys were--the general
3 theme was yeah, things are messed up in the platoon right now. And
4 from my perspective, I was looking at the platoon and then I made the
5 general assumption that if it's going on here, it's not an isolated
6 situation. And the other problem was that despite the fact that my
7 senior drill sergeant was the best drill sergeant on Sand Hill in my
8 eyes, I'd say probably at least a quarter of the guys that graduated
9 basic training should not have graduated basic training. Because
10 they're the type of--you know, one guy--a couple of guys, they----

11 Q. Even in Sergeant Olivera's unit?

12 A. Yeah. You just saw this element of people that shouldn't
13 be there. There's one guy, we got towards the end of basic training,
14 you get the time you get to go off--it's like you go out in Class Bs,
15 and it's like you have your cross-rifles and you've made it to that
16 end, you get your cross-rifles, you get to go off and have a night
17 out.

18 Q. I've seen a picture of you down in Columbus or somewhere.

19 CDC: Guarding [inaudible] [laughing].

20 A. So we get the safety brief. "Okay, guys, don't go out and
21 do something stupid. All right? And don't drink. Don't go get
22 alcohol and get drunk. It's going to be a problem." So these guys,
23 they come back to Benning, to Sand Hill, with beer cans of beer and

1 they throw the beer cans away in the laundry room in our building, at
2 our building. And then there's the other guys who were selling dip
3 throughout boot camp and they're doing everything they can to weasel
4 their way through this or that. There were other guys who would
5 always, whenever it came to a detail, would always disappear
6 magically. There were these guys who just didn't care. They had no
7 respect for what they were doing there. They were there for a
8 paycheck. One guy, who was a rapper, he had a chipped tooth. And
9 the day that dental fixed his chipped tooth, the other guys heard him
10 saying, "Well, I got what I wanted out of the Army." And he was
11 just--he was Effinger. And in fact, he was actually--he went to
12 Alaska too. It was just these people that shouldn't have been in the
13 Army. So I saw this element and it wasn't just my platoon. It was
14 all the platoon's in basic training. Everybody had this story of
15 these guys or that guy or this guy and what they were doing. The
16 drill sergeant knew about it. The drill sergeants knew about it.
17 The company captain knew about it. But they still graduated. So
18 what I was doing when I was at my unit, I was seeing the actual
19 effect of what happens when you let these people into a unit. And
20 then I was simply using my imagination to say, "Well, all those guys
21 in my basic training, they went somewhere." And if they were in my
22 company in basic training, then they were in every company in basic
23 training.

1 CDC: My head's going to explode.

2 I/O: [Laughing]

3 CDC: No, no, no. I want to ask a question if you don't mind.

4 I/O: Sure, sure.

5 CDC: Aren't you setting the bar a little high for the U.S. Army?

6 I/O: [Laughing]

7 CDC: No, I'm not pulling your leg. How many people does the
8 recruiting command have to bring in every month.

9 I/O: He's laughing, too. Of course, he's setting the bar
10 extremely high.

11 SBJ: Yeah.

12 I/O: Completely unrealistically high. But that's consistent
13 with what I've learned about Bowe Bergdahl from family, friends and--
14 you know, on the realist to idealist spectrum, he's not on the
15 realist extreme to say the least. So I will let you answer the
16 question yourself. And forgive me, again, don't take any offense to
17 my laughing. It's not intended to be offensive. It's just a
18 terrific question.

19 CDC: I'm just sitting here listening, you know.

20 I/O: What's funny about it is he's the one who's asking it,
21 that's what's funny about it. Go ahead.

22 CDC: We're not even going to start on the Coast Guard.

1 Q. Tell us, you know, what you think about your own standard
2 that you're setting.

3 A. Yeah, there were plenty of guys in basic training that--
4 yes, my standard was high. If it was so high that it wouldn't
5 include these guys, the guys who could barely pass physical fitness
6 or the guys who just mentally were not going to be able to deal with
7 the pressures of being away from home, in a different country, being
8 shot at. So if I was--if you think my level was too high from what I
9 was just saying, if I was actually looking at things realistically,
10 instead of saying maybe a quarter of the guys that were in my platoon
11 or in my platoon, yeah, shouldn't have graduated, realistically, I
12 should be saying half the guys in my platoon shouldn't have
13 graduated.

14 Q. Right.

15 A. Because they're not Soldier material.

16 Q. Right.

17 A. However, I understand that just because that guy can't pass
18 the PT or barely passes the PT test or just because that guy's a
19 video gamer and he just wants to be there because he wants to do
20 something real with his life, doesn't mean he's going to be a bad
21 Soldier. I understand that. The type of guys that shouldn't have
22 graduated are the guys who have blatantly showed that they have no
23 respect for the Army, what it stands for, what the command is, and

1 what we're supposed to stand--what we as Soldiers are supposed to
2 represent. Those guys who ditched their details, brownnosed the guys
3 that they needed to brownnose, backstabbed the guys they needed to
4 backstab and manipulated the system to every degree that they could,
5 those guys shouldn't have graduated. Because if you take those guys
6 and you put them out in the Army, you're going to see what I saw and
7 that is you put a rank on them and suddenly they're going to start--
8 they even have more power to manipulate. They can suddenly start
9 telling these people to go do this or these people to go do that. So
10 all right, my standards are high, however, this is a military unit.
11 We're dealing with life and death situations. We're dealing with an
12 environment where if you are not structured, if you do not have that
13 discipline, if you do not have the belief in what you are doing, if
14 you don't have the belief in this uniform you're wearing, if you're
15 just there for a paycheck or you're just there so you can be cool or
16 if you're just there so you can play video games and say, "Man, this
17 is so cool, we get paid to do nothing all day," what's that going to
18 translate to when we get into a situation where men are dying and the
19 only way that we can get out of that situation with minimal
20 casualties is by pressing forward and doing what the infantry is
21 supposed to do and close with fire superiority.

22 Q. Sure.

1 A. And get the job done. Yes, we're not the Rangers. Yes, as
2 our unit we have guys like Howard, we have guys like Lanford, we have
3 guys that I met in snowball--or snow, I call them snowballs, like
4 snow platoon. We have those guys, yes. They're not Spartans. But
5 we're not a Ranger unit.

6 Q. Right.

7 A. So my standards, yes, my standards are high to the sense
8 that I don't accept that we should be allowing the people who
9 blatantly show that they don't want to be there for any other reason
10 for paycheck or to look cool.

11 Q. Okay.

12 A. I'm fully accepting the fact that if these standards are
13 too high that someone like Howard or somebody like Good or somebody
14 like Hole can't make it or isn't up to par. Then, doesn't matter.
15 They do what they're supposed to do. They try as hard as they're
16 supposed to try. They believe in what they're doing. They're
17 supporting their country. They're doing their best as them as
18 individuals, as persons can do to represent their country. They're
19 there for a good reason and they have heart behind it and they have
20 that thought behind it that this is more than just a paycheck. This
21 is more than just another job. This is more than just looking cool.
22 This is something, this is what it is.

23 Q. I understand.

1 A. So yeah, I set the bar high and I talk about it high. But
2 it's up there for a reason. You can adjust it to the people who
3 should be there.

4 Q. Right.

5 A. But you should keep it up there so that the people that
6 shouldn't be there aren't allowed to be there.

7 Q. Okay. So just so your head doesn't split.

8 CDC: Explode was the term.

9 Q. Explode, sorry. So your head doesn't explode. I mean, the
10 other side of this, and Sergeant Bergdahl or PFC Bergdahl wouldn't
11 know this, but it is a fact in the United States of America that of
12 the 17-24 year olds across the whole United States of all 300-
13 whatever million people, in the 17-24 year old population, of which
14 you were a member at the time, 28 percent, only 28 percent are fully
15 qualified to join the Army at all. So if you take 100 of them, 72
16 need to get up and walk out even before the recruiter walks in.
17 Because they've got a psychological problem, they've got a medical
18 problem, they haven't graduated from high school or have an
19 equivalent, they're on psychotropic drugs, they've got a criminal
20 record, you know, you name it, 72 percent of America.

21 CDC: Off the top.

1 Q. Off the top. So the 28% that you're applying a very, very
2 high standard to is already sort of the cream of the crop of that
3 peer group. It's just the way it is.

4 A. Wow.

5 Q. But I think you did a--what you did was you separated those
6 who may not be the most fit, but they're motivated to learn and to
7 try and to serve and they can be trained and they can improve and
8 they can reach toward that goal, whether they reach it or not and
9 then the ones who may be more fit, may be more capable but don't give
10 a damn, you know. And that's--is that what you're----

11 A. Yeah, that's exactly my [inaudible].

12 CDC: I'll intrude with sort of a philosophical comment and then
13 I'll--I don't want to waste time.

14 I/O: Yeah, okay,

15 CDC: But you're talking about two things. You're talking about
16 accessions and you're talking about weeding after the point of
17 enlistment.

18 I/O: Yeah, yeah.

19 CDC: To me, if I were the chief of human resources, I would be
20 thinking about how many of the kind of factors that you're talking
21 about can be identified at the front end. Some of them can. You
22 know, jail or the Army. That we can identify. That's fine. But a
23 lot of them cannot be identified. So all you can do--hold on, wait,

1 wait, wait. All you can do--yeah, you could give everybody fancy
2 Myers-Briggs--just let me finish my paragraph. All you can do is at
3 least ensure that people understand coming in, and since we have an
4 all volunteer force now.

5 I/O: Sure.

6 CDC: What they're getting in for. And then the second thing is,
7 post-enlistment, a constant broadcasting of what Army Values entail
8 and then a willingness to fire people.

9 I/O: Yeah, hold them accountable.

10 CDC: Yeah, but you can do a footnote to what I just said but I
11 just wanted to give my capsule on that.

12 I/O: Yeah, we need to give him a break from talking anyhow.

13 CDC: I've taken my break, by the way. So if you all want to
14 take one now, I'm good.

15 Q. Are you okay? Do you want to hit the head or are you good?

16 A. I'm good.

17 Q. You're good? All right. So let me ask you---

18 CDC: And, by the way, the hardest job in any branch of the
19 service is recruiting.

20 I/O: Yeah, sure, absolutely. And I've been asked--you know,
21 people say, "Hey, general, you have a recruiting problem." I say, "I
22 don't have a recruiting problem. It's not my Army. It's your Army.
23 And our recruiters are very good. The problem is the recruiters are

1 recruiting from 28% of the population." And they say, "Well, what do
2 we do about this?" "I don't know. But if it becomes 25%, that's
3 worse. If it becomes 35%, that's better. So you, do whatever needs
4 to be done in America to improve this population of youth and get
5 after all those categories of disqualifiers. Because they're really
6 national problems, not military recruiting problems."

7 CDC: I think that's a fair point.

8 Q. Okay, so Sergeant Bergdahl, let me ask you. We talked a
9 minute ago about it wasn't just five weeks, it was a continual--an
10 accumulation of things. We talked to--you've seen the quote that Fry
11 was giving credit for saying that you said when you guys were back on
12 Rear Detachment that, "If this deployment's lame, I'm just walking
13 off the FOB." He said that in his original statement. We spoke to
14 him again. He says now that is an accurate statement in *Rolling*
15 *Stone*. He says that's exactly what PFC Bergdahl told me at the time.
16 And he said--I said, "Well, why would he say that?" And his
17 description to me was that you guys were getting, because you were
18 back on Rear D, not a lot to do probably, you were frustrated because
19 you wanted to hurry up and get over there. It's why you were there
20 in the first place and an ankle problem held you up.

21 A. Yeah.

1 Q. So you're already frustrated. And then the news you're
2 getting back from the guys is not what you were envisioning when you
3 were going forward.

4 A. Yeah.

5 Q. So just comment on that for me. Tell me your version of
6 all that. Because it's your version that matters, not Fry's version.
7 And let me say the reason I'm asking the question is again I'm trying
8 to form--I'm trying to understand when you're formulating this plan.

9 A. Yeah.

10 Q. I mean, I know you described to me when you decided to act
11 on it. But I'm trying to--just how early were you realizing, "You
12 know what? It looks like I might have to take matters in my own
13 hands here"?

14 A. I'm trying to remember. A lot of the conversations I had
15 with Fry--because Fry was, I have to say, a typical, young, American
16 boy. In other words, his influence of the world or his perception of
17 the military was more of a Hollywood perception than anything else.
18 Like he liked to watch war movies. And one of the conversations that
19 we had had with each other, and I'm pretty sure this is what kind of
20 led up to this initial conversation is talking about modern Soldiers
21 versus other Soldiers.

22 Q. Okay.

1 A. And what my idea was, because he was watching this war
2 movie and I could kind of see that this was what he wanted to be.
3 You know, he's from the south so he has that whole Civil War kind of
4 heritage going on like he does the whole reenactment thing.

5 Q. Okay.

6 A. So he kind of has this kind of Hollywood dream in his head
7 and I kind of see that going on.

8 Q. Okay.

9 A. And he was watching a movie on I think World War II, I
10 believe. And I pointed at those Soldiers and I said, "Fry, the
11 reality of the situation is those are real Soldiers, in the sense of
12 the word. What we are now are police officers, literally." You
13 know, International Security Assistance Force. That's police. If
14 you look at what the guys on D-Day were doing. If you look at what
15 the guys over in the Pacific Ocean were doing in Australia and all
16 those islands and you look at what they had to deal with every single
17 day of their lives, the trenches, the swamps, the jungles. You look
18 at what those guys had to deal with compared to what we have to deal
19 with now, on the scale of how many enemies they were dealing with at
20 how aggressive the combat situation was, those guys, in the
21 definition of Soldier, those guys were Soldiers. All right? You
22 can't take that away. And it's almost insulting--it's not insulting
23 but if you call us modern day Soldiers, you would have to say "modern

1 day" Soldiers. Because if you called us Soldiers, that kind of puts
2 you on the same level as these guys. You read the accounts of the
3 beach landings, you read the accounts of the city to city sweeps, the
4 trenches, you read all these accounts, the naval ships being hit by
5 submarines or the naval ships being hit by kamikazes, you read about
6 these accounts and you see what these people had to survive, you read
7 about Vietnam and I've heard too many guys who were Vietnam vets.
8 One guy, I know, when he got back he never said a single thing to his
9 family except for the fact that, "We lived like dogs." That was all
10 he said and he never said anything else. So you read about the
11 accounts of what these guys went through in Vietnam and then you look
12 at how things progressed, through Desert Storm, and how things
13 slowly--like, that generation was disappearing. Those guys who were
14 there in the full conflict, full frontal battles dealing with that
15 and then dealing with Vietnam and then slowly moving forward. And
16 then you read the accounts of 2002, Iraq, Afghanistan. You read
17 about the contacts that were being taken. All right, Soldiers are
18 dying, yes. But they're not dying on the scale that they were dying
19 in World War II. And they're not having--Soldiers aren't having to
20 deal with the amount of pressure and the amount of horror that the
21 guys back in the World Wars or in Vietnam had to deal with. So I was
22 trying to convey to Fry that this isn't the Hollywood-portrayed
23 movie. We're not--we're modern day adaptations to a battlefield that

1 has fully changed. And this battlefield is now, one, it's a guerilla
2 warfare and two, it's a police operation. If we were sent here as a
3 military--if we were sent to Afghanistan as a military unit to do the
4 job of a Soldier, that would have been take the country. That would
5 have been enforce things by military force. That's not what we're
6 doing. We got here and we're using soft tactics. We were more
7 worried about--we were supposed to be more worried about civilian
8 casualties. We're supposed to be training these guys. We're
9 supposed to be doing aid. This isn't Soldiers. We get to Bagram and
10 one of the first things they're telling us is you're not supposed to--
11 -the way you're supposed to search people. It's not the way that
12 you're searching somebody that you expect to kill you. Alls it is,
13 is you're asking him to put your arms up and you kind of do a little
14 pat down. So it was kind of like the reality of the situation is,
15 and I was trying to get this into his head because he had a very
16 glamorized idea.

17 Q. Okay.

18 A. And so the conversation shifted from talking about the
19 reality of the situation and the battlefields and how things have
20 changed and trying to compare what we're doing now as to what those
21 guys were doing. All right, it's not the same thing. You know,
22 calling us police officers would be a closer description than calling
23 us Soldiers if Soldiers were what the definition of those guys were

1 and what they were dealing with. Yes, we're still Soldiers but we're
2 modern Soldiers in a modern combat zone using modern tactics.

3 Q. Sure.

4 A. Because it changed.

5 CDC: But what about General Dahl's question?

6 A. Yeah, we're getting to that.

7 CDC: Okay.

8 A. Because it's a very complex thing. So the conversation led
9 up to basically Fry, he was listening to me. And from what I've
10 learned over my time, if you need to gauge somebody's character of
11 what they're going to do or how they're going to react to something
12 or how their mind is going to process something, you don't ask a
13 question but you make a statement and you make a statement that
14 causes a reaction. All right? Now, I can't recall that exact
15 conversation. But the statement would be, you know, like along the
16 lines of if deployment is lame--now, I was still back on Rear D, and
17 I was hearing some basic ideas of what's going on there, but I didn't
18 have eyes on it.

19 Q. Right.

20 A. So the question was, what's going to happen? What am I
21 going to do? How am I going to react to this? Because I portrayed
22 myself all the way up to that point as being very--because everybody
23 knew I wanted to go Special Forces, right?

1 Q. Right.

2 A. And I was a little annoyed about the fact that once I got
3 to my unit and I saw how things were going and I saw how NTC was
4 going, I was like, good grief, I'm going to have to do a deployment
5 before I go to the Q-course, and then when I was on Rear D, I was
6 hearing about all this stuff that was going on and it was like, I'm
7 going to waste my time doing a year deployment dealing with all this
8 bullshit when I wanted to go--at that point it was like, I should
9 just go straight to Special Forces because that's what I want and I
10 know that's where I should be. Because it cuts out all this
11 stupidity. So it was like, okay, so I'm going to go waste my time in
12 this deployment instead of going directly to the Q-course because I
13 couldn't go to the Q-course because they wouldn't let me go to the Q-
14 course because they were already short manned. They don't have
15 enough men to fill in all the positions. So it was like, okay, I
16 need a commander's, you know, sign off to allow me to go to the Q-
17 course. And I also needed to have a Specialist rank to go to the Q-
18 course. So I was annoyed about that. But everybody knew I wanted to
19 go Special Forces. So the conversation, if I can remember it
20 correctly, the conversation was in the direction of he was asking me
21 like what I was going to do. And I wanted to know what he was
22 thinking because of his glamorized idea of going over to a combat
23 zone. So I was asking him questions. And the question was--the

1 statement--I don't even think that was my exact words, "If
2 deployment's lame, I'm just going to leave." I don't think that was
3 my exact words, but I can't remember my exact words. I can't
4 remember the exact conversation either.

5 CDC: Well, if you can't remember, you can't remember.

6 Q. If you can't remember, you can't remember. I mean, his
7 recollection--his original statement and then of course it was in one
8 of the newspaper articles. And then when we spoke to him recently.
9 You know, he said--I said, "Was that statement"--he said, "That
10 statement was not taken out of context. That's exactly what he said.
11 That's an accurate quote from him." And I said, "Well, why did he
12 say that?" And he said, his recollection, now this is five years
13 later.

14 A. Yeah.

15 Q. His recollection was that it was in response to the
16 Facebook messages that you guys were getting from the platoon
17 downrange who were talking about what they were doing, the way the
18 deployment had been going so far for the last couple of months and
19 that you guys were sort of disappointed in the accounts that you were
20 getting.

21 A. Yeah.

22 Q. And what they were doing. You were thinking that's a
23 little disappointing, frustrating. We're waiting to get over there,

1 waiting to get over there, and when we get over there, that's what
2 it's going to be like and that's how he recalls how you responded.

3 CDC: Well, I'll just----

4 A. Well, I was just going to say that I think the gist of the
5 whole, from what I can remember, was basically I could get over to--
6 once I got over there, I could do--my idea was to force some kind of
7 a separation from the unit, basically me going to the platoon
8 sergeant and saying, "I need to be changed to a different"-----

9 Q. Switch to a different unit?

10 A. Switch to a different unit. Because-----

11 CDC: You were gung-ho. Special Forces, that was your goal.

12 A. Yeah, so I just needed the rank. I just needed a certain
13 amount of time in country to get the rank and I didn't want to waste
14 my time in a regular unit that was just playing gate guard, which is
15 what we were getting. When I could be somewhere else doing something
16 else.

17 Q. Sure, okay.

18 A. So the idea was to start pushing for some kind of a change
19 of unit or something like that. Because I had heard somewhere that
20 you could do that.

21 Q. Okay.

22 A. You could ask for a change. I don't remember the exact
23 conversation.

1 Q. That's fair. That's fair enough.

2 CDC: Is there some document that memorializes your interest in
3 going into Special Forces or is that undisputed? I don't recall. We
4 just went through the AR 15-6.

5 Q. I don't know. I mean, everyone who knows Sergeant Bergdahl
6 knows that that's what he wanted to do. I think you even mentioned
7 it to your recruiter when you first tried to enlist?

8 A. Yeah, I did.

9 Q. You wanted to go into Special Forces. And he, by the way,
10 your recruiter at MEPS and the ways he remembers you, he remembers
11 you asked him a question about conscientious objection when you were
12 talking to a recruiter.

13 A. Yeah.

14 Q. He says I remember him because I've never had anybody come
15 into a recruiting station and ask me about conscientious objection
16 before.

17 A. Yeah.

18 Q. Do you remember that conversation?

19 A. I don't remember that conversation. I had a lot of
20 questions for him.

21 Q. Okay, okay, okay.

22 A. And even to this day, my idea and my understanding and my
23 personal views on conscientious objectors is in the modern

1 battlefield when things have gotten so political, Soldiers, people
2 shouldn't just be throwing their lives away like we did in World War
3 II. If you literally, if you have somebody who objects to being in
4 the battlefield, don't put them in the battlefield because they're
5 not going to want to be there. And if they don't want to be
6 there, then they are going to cause some kind of a problem. They are
7 going to cause the team--they are going to slow the team up. They
8 are going to slow the--you know, they are going to make a weakness
9 basically. So, my views on conscientious objection is, yes, allow
10 that to be there. Because if you give a person that ability to say,
11 "You know what, I can't do this and I am not going to be reprimanded
12 for it," then what you do is you give that relief valve of removing
13 from forward line all the people who don't want to be there.

14 CDC: That is a more complicated subject.

15 Q. So, let me--let's switch gears.

16 A. Yeah.

17 CDC: One--the tiniest footnotes. Just again, listening to what
18 you are saying here, military--this is about the only legal kind of
19 comment that I think I will have made today. But, military law
20 recognizes something called bravado; that there are statements that
21 people make that are bravado. Typically it is called "mere bravado."

22 I/O: Right.

23 CDC: That is what I am hearing----

1 I/O: Yeah. Sure. Yeah. Right.

2 CDC: ----in this comment.

3 I/O: And a lot of people refer to it as----

4 CDC: Hollow threats.

5 I/O: Well, you know, guard tower talk. You know, whatever and

6 all that kind of stuff.

7 CDC: Okay.

8 Q. Okay. So, let's switch gears and let's go back to where we

9 were an hour or so ago. And that is, there is a gap that you have

10 not had an opportunity to cover.

11 A. Right.

12 Q. Motorcycle guys to 9 July. Or motorcycle guys to----

13 A. Mullah Sangeen.

14 Q. ----Mullah Sangeen. And if that is around 9 July or so----

15 A. I don't know. I don't know because at that point I just

16 lost all time.

17 Q. Let's just call it the "gap." Without dates, let's call it

18 the "gap" from motorcycle guys show up and are surprised to find a

19 white dude out there, and where you started with the debrief. So,

20 fill that in for me.

21 A. It is pretty simple actually.

22 CDC: The rolling thunder guys.

23 I/O: Yeah.

1 A. Immediate understanding at that point in time, that one, I
2 can't do anything. Two, I am in over my head. And three, it is, you
3 know, basically at that point in time, it is survival mode. In the
4 hands of God. They basically--they saw--they figured it out. They
5 weren't sure I was a Soldier, but then they saw my uniform.

6 Q. Okay.

7 A. And I had my wallet on me and dog tags.

8 Q. Did they have weapons? How old were they?

9 A. Yeah, they had weapons. They were about barely early mid-
10 20s. AK-47s. One had a--they all had AK-47s. One had a longer
11 rifle that was probably a 7.62 by 41.

12 Q. Okay.

13 A. Instead of a 7.62 by 30.

14 Q. So, these weren't just local villagers. These were
15 Taliban.

16 A. Yeah, these were Taliban.

17 Q. How many of them were there?

18 A. Six when--like, the first drivers.

19 Q. Okay. So, like three motorcycles----

20 A. Well, there was five motorcycles, but sometimes they have
21 like----

22 Q. A couple----

23 A. ----a couple guys on the back.

1 Q. Okay. So, five motorcycles and about six Taliban?

2 A. Yeah.

3 Q. Okay.

4 A. Flat out country. I am not running anymore. They figured
5 it out. They basically blindfold me, hands behind my back. Tied me
6 with one of the scarves, put me on the back of a motorcycle and they
7 start driving. I can't see very much. I do my--I do my best to try
8 and get the blindfold off of my eyes, but it is not doing much. I
9 don't know, some minutes driving, we get to a house. They pull me
10 off. They pull me into the house. I think it was a two-story house
11 because I thought I saw stairs going up. They get me to the house.
12 They basically go through my--you know, they went through my pockets
13 when they first found me, but then at the house, you know, they take
14 everything out and look at it. And they are talking. Alls I can
15 hear is talking at this point. And one of the first things they do
16 when I get in the house is they immediately start putting some kind
17 of a strap. They basically--I don't know how many times--or how many
18 things they used to tie my hand behind my back, but they used like a
19 strap. There was a rope. There was something else. And it actually
20 cut off the circulation to my hands and for the hours that I had my
21 hands tied behind my back, I actually lost sensation in my thumb that
22 I didn't regain until like months, like actually probably years
23 later. Probably about after the first year-and-a-half or so, I

1 finally started regaining more sensation--you know, the full
2 sensation in my thumb. So, they made damn sure that my arms weren't
3 going to go anywhere. And then they threw me on the motorcycle.
4 Anyway, they get their kicks and blows in on the way or whenever they
5 had the opportunity. That is just part of it. I knew from the very
6 get go, I understood that these types of--from what I could
7 understand of the culture and from what I could understand of just
8 human nature in general, from the very get go, one, it doesn't matter
9 if you are a UFC prize fighter, they got six guys with AK-47s. You
10 are not going to do any Hollywood cool guy stuff at that point. If I
11 had a hand gun, it would have been a level--it probably would have
12 been a level playing ground because they don't actually ride around
13 with bullets in their guns.

14 Q. Right.

15 A. They have to actually rack them. But, that is hindsight
16 20/20. From the very first get go, I understood that if I presented
17 myself as a threat, if I tried something immediately, that would only
18 make things worse. So, it is basically make yourself as small as
19 possible, make yourself as unthreatening as possible. You are not
20 going to change the situation by struggling. You have to wait for
21 the right moment, for the right time. And human beings make the
22 habit of thinking--once they think they get a grip on something, once
23 they think that something isn't going to struggle or somebody is not

1 going to struggle anymore, then they start to relax. Once they think
2 that they are the superior, then they start to relax. So, from the
3 very get go, it is like self-survival mode. It is make yourself
4 small.

5 Q. Sure.

6 A. Non-threatening and just go with it. So, they, you know,
7 motorcycled me to another location, you know, take pictures. The
8 village shows up, laughs, children throw rocks. I tried to escape
9 when like one village they came to. First they rode around and they
10 were radioing trying to find somebody. I kept hearing them go on to
11 the radio. You could hear the beeping of the radio. They had the
12 short wave push-to-talk radio. And finally, we find a guy who speaks
13 English. So, that must have been who they were talking to and trying
14 to find, because we rode around from here to there and then finally,
15 in the middle of like, from what I could see, from the cracks in the
16 blindfold, there just anywhere--there wasn't anything nearby except
17 for like a ruins, kind of a mud wall that was falling apart. It
18 looked like it used to be a house or something.

19 Q. This is still the first day?

20 A. This is the first day.

21 Q. First day.

22 A. So, this guy sees me. He says, "How are you" in broken
23 English that is not fluent. You know, "I am fine." Apparently, my

1 hands looked like something, because he immediately told the guys to
2 take the restraints off and then they took me. He was educated. He
3 also had glasses. Another sign in their culture of somebody who was
4 well-read. So, they took the straps off that they had bound my
5 wrists in, and then they had taken just typical chain that you would
6 use to tie your dogs up in the yard, and they put it around my wrists
7 with padlocks. Thankfully, that allowed blood flow back into my
8 hands. I don't know what they looked like, but the way they felt was
9 not good. So, he--they gave him my wallet that had my driver's
10 license, ID, all that in it. And, you know, he saw that. So, right
11 off the bat, they had my name. They had my dog tags. And they knew
12 I was an American Soldier.

13 So, after that, they take me to a village, which must have
14 been like the village where those guys were from, because the old
15 elders come out. They are all proud about them and everything. So,
16 they leave me outside this, what looks to be like a meeting hall.
17 Basically, I could see the doors to it from the cracks. So, they
18 leave me out front and the kids are all there. My hands are behind
19 my back. I am kneeling on the ground. They throw a blanket over my
20 head and they leave. I could hear their footsteps leave and they go
21 into the building. I know that there is kids there because they are
22 throwing pebbles at me and stuff. So, I try to get the blind--you
23 know, I can't get the blind fold off. I try to rock my knees and I

1 try to get my hands, because I can actually pull my hands out. I am
2 flexible enough to get my hands around. So, I figure if I could get
3 my hands in front of me, I could get the blanket off. I could get
4 the blindfold off. If I could get the blindfold off, then I could
5 run. And, you know, I knew the Afghans, they are not exercise
6 enthusiasts. They don't exercise on a regular basis. So, I was
7 going to rely on my ability to run as a possibility of outrunning
8 them in the sense of, one, the terrain was hopefully going to--
9 because we were in pretty--you know, driving to that village, it was
10 pretty up and down terrain. So, they couldn't just ride their
11 motorcycles just wherever. Was it a smart idea? No. They had AK-
12 47s. Most likely I would have gotten myself shot, but I wasn't
13 actually thinking about that at the time. I was thinking about, "I
14 need to get out of this situation because this is getting worse."
15 But, I never could get my hands from behind me. But, I did end up--I
16 could like--I could like--I ended up working my, you know--actually,
17 I ended up, you know, getting the blindfold slightly off with my
18 knee. And I just decided to run for it. Unfortunately, I got about
19 50 feet and the entire village apparently turned up to stop me. That
20 was that attempt.

21 Q. Okay.

22 A. They put me on another motorcycle. They drove me to
23 another location in a tiny room. I saw some gray-bearded old man who

1 they apparently had brought me there for him to see me. I don't know
2 who he was. Apparently, he was the area's some kind of leader or
3 elder or something like that. So, they brought me to that guy. I was there
4 for some time. [After this they take me to a tent, they hold me there, and]
5 then they transferred me again to another house. They left me in that room
6 until it started to--until the sun started to sink. And then they--after
7 that, they pulled me out and they put me in back of the truck. After they
8 put me in the back of the truck, the guy comes up to me and he starts
9 talking to me in broken English. You know, "Who are you?" And he says--he
10 says--one, he says, "If you move, I am going to kill you, but don't worry,
11 we take you--take you to another place" I think it was. So, they put me
12 in the back of this truck. They put me in the bed of the truck and
13 they throw blankets on top of me. And then that truck just drives
14 and drives and keeps driving. How long it drove, I have no idea. We
15 drove through the night. Drove through uneven terrain up pretty
16 fairly steep grades. And there was--like when they first started
17 out, it was flat. And then the road got really rough. And then the
18 roads wind up and started going up mountains.

19 Towards the next day, they kept driving. No. So, that
20 night, they drive us. Yeah. Towards--still dark out, but towards
21 morning, they stop. They pulled me out of the truck. Me, the
22 English speaking guy, and four other guys get out and we start
23 walking into the desert, into the mountains. And we come across a

1 couple of rivers. We get into valleys. It is dark out. I can't
2 really see very much. So, we just basically--we wind our way through
3 the country. We get to a house. We get to a village and into a
4 house. They put me on a bed mat on the floor. No, that was the
5 second night. The first night--the first night, they drive into the
6 night. The first night we get to a house in a room where there
7 appears to be, by the sound of it, there is a whole bunch of other
8 people already there. So, they put me in that room on the floor next
9 to them. That is the--and then the next day, before everybody else
10 wakes up, they pick me up, they pull me out, they put me back in the
11 truck. They drive throughout that day and they didn't stop. Night
12 time came. They drove partially into the night, but then we
13 dismounted and then we got out of the truck. And then that was--we
14 spent that night walking through basically mountains, like little
15 hills, and valleys.

16 Q. Okay.

17 A. And spent the evening walking until we got to a village.
18 It took me into another house. Put me on--at this time, they put me
19 on like an Afghan bed. You have seen the type of beds that they
20 have. So, they put me on one of those and left me there. There was
21 guards in the room, obviously. They left me there. I fell asleep.
22 Then they gave me some water. I fell asleep. Before gray light
23 came, they got me out of there, put me in another vehicle and drove

1 me into the day, into the night, which was in the mountains; pretty
2 intense mountains. And towards the earlier morning, we stopped.
3 Gray light comes. We get out of the trucks. We hike up the
4 mountain. This is where the [indiscernible 12:34:16] pick up. We
5 hike up the mountain. And this is where I meet Mullah Sangeen.

6 Q. Okay. Okay. There is one--and it occurred somewhere in
7 where you just described. And I think it occurs probably within the
8 first 24 to 36, maybe 48 hours. There is, I think it is a cell phone
9 video.

10 A. Okay.

11 Q. In the intel, there is a--and I think it is a--I want to
12 say you left--it was the 29th, the evening of the 29th. The next day
13 is the 30th. So, it would be probably 36 hours I am guessing from
14 when you walked out of the wire at COP Mest. There is a--it is like
15 a five second, maybe ten second cell phone video of you.

16 A. Of the guy slapping me?

17 Q. No. It doesn't show him slapping you. It just shows--it
18 is just a picture of you. And the video shows you in like a white
19 robe. A white Afghan dress. It looks like you are in a tent. It is
20 hard to tell. It is a close up of you. It looks like you are in
21 tent, because it looks like there is a tent pole. And then behind
22 you there is a bright blue box. So, it almost would imply like it is
23 a woman's tent.

1 A. I am sitting cross-legged on the floor with my hands behind
2 my back-----

3 Q. Yeah. Yeah. Exactly.

4 A. -----and I am kind of leaning over?

5 Q. Yeah, exactly.

6 A. Yeah, that would have been in the first day, toward the
7 later end of it. They took me to a tent. They took me to a tent as
8 well. That would be the--the tent came after I saw a white [haired] Arab
9 man [I am not sure if the man was Arab].

10 Q. Okay.

11 A. Yeah. That was--the guys that were moving me, that was
12 their tent.

13 Q. Okay.

14 A. And the guy who was the head of the pack or whatever, he
15 was the one that was, you know, that was I believe his tent.

16 Q. Okay.

17 A. I saw a woman outside the tent and the way he interacted
18 with her suggested that it was like one of his wives or his sister or
19 something like that.

20 Q. I mean, there was a bright blue box in there, which would
21 imply that it was a woman's tent or a woman was also an occupant of
22 that tent.

23 A. Yeah. Yeah.

1 Q. The intelligence report, you know, the chatter now between
2 the Taliban, and the insurgents, and the Afghans, it is all over the
3 map at this point, because now everybody knows. So, half of what you
4 would see in the intelligence is bullshit, because it is deliberate
5 deception. Half of it is poor translations. Half of it is Taliban's
6 embellishing with each other because they are trying to raise up the
7 price for you. So, you don't know what the hell to believe and what
8 not to believe.

9 A. Yeah.

10 Q. But, there is a piece of intelligence that we think is
11 credible, because the guy says, "Get a video of him." And he says,
12 "We already have a video of him." And then there actually is a SIM
13 card from a phone that has got this like five second thing of you in
14 this tent. And like two seconds of it is you and you can see the
15 tent pole and you can see the blue box behind you. And then the
16 whole damn things turns this way. And then that is the end of it.
17 So, do you recall that happening? It is 1 July, sometime 1 July.
18 So, probably I want to say 1000, or 1200, 1 July. So, it would have
19 been early morning, not the first day, but the second day. So, that
20 might have been after you had the----

21 A. The way that the screen tilted would have been--if he was
22 holding the camera or the cell phone like this, did it tilt like he
23 went like this to look at it?

1 Q. No, it went kind of sideways. I mean, you are still in the
2 picture.

3 A. Yeah.

4 Q. You are in the picture and then you are sideways like this.

5 A. So, he didn't----

6 Q. You didn't move. The phone did.

7 A. The phone did. But, if he was like holding it on me and
8 then he decided to look at it----

9 Q. Yeah. Yeah. Yeah.

10 A. ----and he did something like this, yeah, that was the
11 first day.

12 Q. Okay. I will see if I can dig it up and we will show it to
13 you tomorrow morning. And then I will see if I can dig it up if we
14 have it, and I will show it to you.

15 A. Yeah.

16 Q. Okay. So, I mean, that closes the gap from leaving the
17 COP, to point of capture, to 9 July; is that right?

18 A. Yeah.

19 Q. Or not 9 July, but when you met with Mullah Sangeen and
20 that is where the SERE guys picked up.

21 A. Yeah, that is where the SERE guys picked up.

22 Q. And I don't need to run you through anymore of that.

23 A. Yeah.

1 Q. Okay. Let me go back and ask you a couple of other things.
2 These are the sort of things that come out in some of the press and
3 we just might as well address them.

4 E-mail home, letter home, something like that where you
5 referred to an Afghan girl who got hit by an MRAP.

6 A. Yeah.

7 Q. So, help me with that one.

8 A. I knew that was going to be an issue. If you would mind, I
9 am going to read that word for word.

10 Q. No, I don't mind. I just assume we address all these
11 things because these are the questions that are all going to be
12 asked.

13 A. Yeah. [Reading letter.]_ [At this point I was unable to bring |
14 the letter up on my smart phone]

15 If I remember it correctly, and I read it last night, the
16 actual wording of the letter states very clearly that the reference
17 to running over of children is a conversation, not an actual event.
18 It is--I am referencing literally the fact that we don't have a
19 problem with the fact that some of these Soldiers are talking about,
20 "Yeah. Yeah, if I see a kid on the road, I am going to run them
21 down." It is not word for word, but if you go back and you read the
22 actual letter. It is up on Wikipedia. It is the infamous letter
23 that Rolling Stone likes to take little splits of.

1 Q. Excerpts, yeah.

2 A. Yeah, if you read that letter, it says very clearly that it
3 is talking about conversations that Soldiers have amongst each other
4 about what you would do. It is the same kind of conversation. You
5 see a woman walking past, the Soldiers would be like, "If you put a
6 bag on her head, I will do her."

7 Q. Yeah. Right. Okay.

8 A. So, that is what I am referencing. I am referencing the
9 fact that here is these Soldiers in this country and we don't have a
10 problem with the fact that we are talking about, "Yeah, I have no
11 problem running down a kid in the road."

12 Q. Right. Okay.

13 A. That is not how we conduct ourselves back in the United
14 States. But for some strange reason, here we are in Afghanistan and
15 we think it is cool to talk about, "Yeah, I am going to kill a kid
16 just because they are in the road or I am going to run a kid down
17 with a truck just because they are in the road."

18 Q. Okay.

19 A. The reference in that letter was directly linked to a
20 conversation. We never ran over a kid.

21 Q. Okay. All right. No, that is good. And so, again, mere
22 bravado again or however you want to describe it.

23 CDC: Sea stories.

1 Q. Yeah. Yeah. Because we have been unable to corroborate
2 that with anybody. So, your explanation makes sense.

3 A. Yeah, it says it very clearly and I wish I could pull it up
4 because you can see it.

5 Q. And, again, you are--the point you made earlier is a very
6 good point. And that is, there was probably a whole bunch of e-mails
7 and letters that went home that aren't public that we could find all
8 this kind of stuff on.

9 CDC: Let's hear it for the internet and war.

10 Q. Right. So, that is fair.

11 Okay. So, the next one, similar. This isn't even you.
12 This is your dad referring to a relationship that you had with
13 Lieutenant Bradshaw.

14 CDC: What did he say?

15 A. I have never----

16 Q. Okay. I am sorry. Lieutenant Bradshaw was a lieutenant in
17 the battalion.

18 CDC: Right. Right. Right. He died.

19 Q. And was the first casualty that they had. And your dad
20 didn't tell me--actually, your dad did tell me this when I had him on
21 the--when we talked on the phone, because I asked him about it. He
22 had said--and this was probably--I think this was in a Rolling Stone
23 article too, which they are very upset about by the way. I mean,

1 they really felt like they were exploited by Michael Hastings and
2 this guy who was helping to----

3 CDC: Farwell [phonetic].

4 Q. Right. Yeah. They really felt exploited by the whole
5 thing, but I don't want to speak on their behalf and it is not my
6 place to judge. But, in any case, what the relevant piece of it is,
7 your father was quoted in the Rolling Stone and then also mentioned
8 to me that you were devastated--not devastated. You were severely
9 impacted or affected by the death of Lieutenant Bradshaw because you
10 and he had developed a very close relationship. And when I said,
11 "How is that possible? This is a PFC in one platoon. Bradshaw is in
12 a different company." And he believed that it happened; that you
13 guys got close at NTC. So, anyway, none of that is important. What
14 is important is what you have to say.

15 What are the facts?

16 A. The facts would be, first I asked for him to actually
17 present a letter, because I never even knew a Bradshaw. I never even
18 met a Lieutenant Bradshaw. The only lieutenant I had ever met was
19 Lieutenant Fancy.

20 Q. Right. He was your platoon--your first platoon leader.

21 A. Which was our first platoon leader. I never met a Bradshaw
22 in NTC. I had never even heard of--I don't even remember hearing----

23 Q. So, it is just not true?

1 A. Yeah. I have never even heard of someone dying named
2 Bradshaw.

3 Q. Okay. So, it is just not true?

4 A. Yeah, it is not true. I don't know. Like I said, I would
5 ask him to present a letter.

6 Q. No, and that is fine. Again, he is--I don't know where he
7 got the information from. He might have got it from Farwell or
8 Rolling Stone. I mean, they may have--you know, again, he didn't say
9 he heard it from you. He didn't say--at least I don't recall him
10 saying he heard it from you. He was searching for explanations. If
11 I am going to try to defend the comment, he is searching for
12 explanations.

13 A. Yeah.

14 Q. Okay. So, that helps me. Yeah, that is important. Okay.
15 So, we will continue on this same vein. You made a comment or you
16 are alleged to have made a comment to Gerleve maybe, maybe to
17 Leatherman, maybe Buetow, one of them, where you said--soon after you
18 arrived in country, you said, "What happened if I were to skin
19 somebody's face and then wear it as a mask."

20 A. I believe that was probably Gerleve, but I think I read something
21 about this [read on the web about Gerleve's claim that I had said this].
22 All right. One, it was [not]_in country. My comment in regards to this was
23 back in Alaska.

1 Q. Okay.

2 A. Now, I didn't say anything about skinning someone's face
3 and wearing it. What I was making reference to--I said--I brought up
4 the subject of skinning somebody for interrogation. Now, what I was
5 doing was--Gerleve talks a lot of talk. And I think Buetow was there
6 at the same time. I am pretty sure Leatherman probably heard about
7 it. But, it was a comment I made towards Gerleve. Now, if you--you
8 can look this up too. There is a Japanese author called Haruki
9 Murakami. He writes fictional novels. Now, one of his more famed
10 novels is called The Wind-Up Bird Chronicles. It is a very good---

11 CDC: The what?

12 A. The Wind-Up Bird Chronicles.

13 Q. Wind-Up Bird.

14 CDC: Wind-Up Bird.

15 Q. Chronicles. Okay.

16 A. It is not for everybody because it is a very fantastic
17 novel. It leaves your imagination screaming, literally, in the sense
18 of, it gives you just enough to make you get interested in it, but it
19 doesn't give you the answers that you want. You have to work at----

20 Q. Filling in the blanks yourself.

21 A. Yeah. There is so many directions you can go in. Now, in
22 that book, there is a chapter, because it jumps around from present
23 to past. And what it does is, it goes back to Japanese invasion of

1 China and the border between Mongolia that is being--the Russians are
2 using Mongolians to hold the border against the Japanese. And
3 Chinese are part of, you know, are mixed up in it now. This chapter
4 is talking about this guy who is one of the main characters in the
5 book. He is a young officer and he gets picked to go on an intel.
6 They are supposed to go with some intelligence guy to collect some
7 information. They get caught by the Russians who are using the
8 Mongolians. Now, the Mongolians are notorious skinners.

9 CDC: When is this supposed to take place? The early 1900s or---

10 -

11 A. Yeah.

12 CDC: Okay.

13 A. The book is supposed to take place during the World Wars
14 when Japan invades China.

15 CDC: That is the 30s.

16 A. 30s. Yeah. So, what happens is, this young lieutenant,
17 who is one of the main characters of the book, once they get caught,
18 this guy that he is supposed to be helping, he is supposed to be some
19 secret intel officer or whatever. So, they get caught by the
20 Mongolians who are working for the Russians. Now, the Mongolians are
21 supposed to be infamous skinners, animal skinners. Now, one of the--
22 the torture scene that follows in these chapters is this intelligence
23 guy being skinned alive as an interrogation method. And this leaves

1 such a raw impact on the young officer that it changes his life. It
2 basically, you know--so, that is the chapter in the book where you
3 get the idea of skinning someone alive.

4 Now, the reason that I brought it up was because Sergeant
5 Gerleve talks a lot of talk. And one of his comments was, "I can't
6 wait to start shooting. I can't wait to start killing people again"
7 because he had just come back from Iraq.

8 Q. Right.

9 A. So, my comment was a gauge to see how he was going to
10 react. I will admit I am a bit of a shock artist.

11 CDC: Provocateur.

12 A. Exactly. In fact, in a lot of conversations, I will have a
13 habit of contradicting myself because what I am trying to see is if
14 people will catch on to it and how people are going to react. If I
15 am talking about something and then suddenly I start talking about
16 something else, and I contradict myself, I want to see how that
17 person is going to react to it.

18 So, I brought that subject up to see his reaction. Because
19 if he is so interested in, you know, he wants to start killing people
20 again, I wanted to see, "Well, are you all talk or how are you going
21 to react?" Because the idea of skinning someone alive, all right,
22 that takes an inhumane coldness that I certainly--I can't even----

23 Q. Sure.

1 A. You can ask my family. I don't kill animals.

2 Q. Sure. Right.

3 A. So, I am not the--if you look at my background, do I go out
4 and hunt animals and skin them? No, I don't do that. I have never [as a
5 habit, and sport] done that. I have lived in the wilderness and if I have
6 to hunt, then I have to hunt, but I don't make a habit of skinning things.
7 So, my question was to flush out what kind of perversion he was going
8 to be. Because if he was going to go along with that and go, "Oh,
9 yeah, that is something I would do," that is a lot of guff coming
10 from somebody, who from obvious first impression isn't the type of
11 person who is going to be able to stomach something like that and be
12 able to do something like that. So, I just--I wanted to press the
13 situation.

14 Q. Okay. Sure. Okay. Some of the--several of the guys, you
15 know, said in their original statements, and also when we--you know,
16 when I asked them, "So, what do you think he was doing?" None of
17 them guessed what you were doing, by the way. But they all gave--I
18 mean, I shouldn't say all of them. They gave as many--they gave as
19 many explanations as there were individuals.

20 CDC: As to what?

21 Q. As there were individuals.

22 CDC: Oh, okay.

1 Q. So, if there were 25 guys in the platoon and I asked them,
2 "What was he doing"-----

3 A. 26 opinions.

4 Q. -----I got 25 answers as to what your intent was. What I
5 find interesting about that in doing this, this is just a comment,
6 and I would be interested in your response to it, is that they are
7 all pretty certain that they were right, because they refer to your
8 relationship with them, which seemed to be pretty tailored. I mean,
9 your relationship with each individual--your relationship with Sutton
10 is very different than your relationship with Leatherman, which is
11 very different than your relationship with Coe, which is very
12 different than your relationship with Barrow, which is a very
13 different relationship than your relationship with Fry.

14 A. Yeah.

15 Q. And, you know, and Cross and all the rest of them. So,
16 when they respond with such certainty, they are responding with
17 certainty because they felt like they know you. And yet, the
18 difference between them is so great. But, I think, again, I would
19 like to let you comment on, I think your relationship with them is
20 tailored. I have been listening to you talk all day long.

21 A. Yeah.

22 Q. And it sounds to me like you target your communications to
23 the individual.

1 A. Yeah.

2 Q. Is that a fair statement?

3 A. They are all different individuals. They are all different
4 individuals, so I am obviously not going to talk to Sutton on the
5 same things that I am going to talk to Barrow on. Because Barrow has
6 different interests, Sutton has different interests, so when I got to
7 talk to them, it is going to be a completely different relationship.

8 Q. Right. Okay. Okay. Yeah. I mean, I just--I mean, I
9 think that unusually so, you are that way.

10 A. Yeah. Yeah.

11 Q. In that, you tend to--and I am not a psychologist or a
12 psychiatrist so please don't--I don't want to take this one too far,
13 but it is germane to understanding all of these comments and all of
14 these varied statements, and how confident they are and how
15 passionate they are about their feelings. Is that, you tend to be
16 who you want that person--who you perceive that person wants you to
17 be.

18 A. Yeah.

19 Q. I mean, is that----

20 A. Yeah, that is fair.

21 Q. Is that an unfair comment?

22 A. No, that is a very fair comment.

23 Q. Okay. I mean, just----

1 A. I am going to react differently to--Sergeant Leatherman, I
2 had a problem with because he is kind of a know-it-all and he had
3 that tendency of irking everybody else.

4 Q. Right.

5 A. So, I am obviously going to react to him in a different way
6 than I am going to react to somebody who I am close friends with like
7 Sutton or Coe.

8 Q. Okay.

9 A. So, for Sergeant Leatherman, his perspective of me is going
10 to be a little abrasive, because that is how I was with him, because
11 I am not his friend.

12 Q. Okay. Sure.

13 A. We didn't have that connection and I wasn't going to be
14 buddy-buddy with him because I had disagreement with what he was
15 saying or with what he was doing.

16 Q. Okay.

17 A. So, yeah, it is going to be--you know, I switched it. I am
18 not going to make my friend or I am not going to treat my friends
19 like an enemy and I am not going to treat my, not enemy, but I am not
20 going to treat someone who I don't get along with like a buddy.

21 Q. Okay.

22 A. I am going to be civil with them, but I am going----

1 Q. So, the explanations that they give, "Well, he was going to
2 India." "He was going to go to Pakistan, be a shadow in the
3 mountains, and kill bad people and help children."

4 A. Yeah.

5 Q. Or, "Nope, he was going to go through Pakistan to India."
6 And, "Nope, he was going to go through Pakistan to India, and then he
7 was going to join the mob." You know, "And he was going to join the
8 mafia in a small gang, kill all the folks so that the leaders respect
9 him so he could climb the ranks and then go to Europe."

10 CDC: Right. That is the first week.

11 Q. I mean, yeah. I mean, these are the things that they said.
12 "No, he told me. He was interested in doing this. He asked me, 'How
13 far is it to India? How far is to China?'" So, help me understand
14 all of that.

15 A. All right.

16 Q. I am not making this stuff up. I am telling you----

17 A. No, I know that, because--yeah, I know that. Now, take
18 things in context of the situation. It would be a bunch of privates
19 standing around, bored out of their minds. We start talking. I am,
20 for lack of better words, a romantic. I am a story teller. I am a--
21 I have an imagination. I have a sense of curiosity, a sense of
22 adventure. I have all of these things. All right. I was raised
23 watching movies, reading books. My experience of life was that

1 dramatic sense. So, in a conversation, when I am talking to somebody
2 and I want to see how they are going to react on certain subjects, if
3 you stand around talking about the weather all day, it is going to
4 get very boring.

5 Q. Sure. Sure.

6 A. If you stand around talking about, "I am going to go work
7 at a bank" it is very boring.

8 Q. Right.

9 A. You don't want to stand around talking about, "Well, the
10 weapon's systems down on the truck isn't working right."

11 Q. Right.

12 A. You don't want to stand there talking about, "Well, so-in-
13 so is being a jerk again." So, let's mix things up. Let's talk
14 about--you know, and I can't talk about philosophy with some of the
15 guys, because it is over their heads and they are not interested in
16 it.

17 Q. Right.

18 A. You can't talk about video games all day.

19 Q. Right.

20 A. And if you start talking about girls, then that just causes
21 the problem of, "We are here for 12 months and there aren't any
22 girls."

23 Q. Right.

1 A. And then they start getting disrespectful and it is just
2 like, "Let's not go down that road."

3 Q. Yeah.

4 A. So, conversation, I am trying to gauge--because I am new to
5 the unit.

6 Q. Sure.

7 A. First time I got to the unit. So, when I got to the unit,
8 everybody was in such chaos of trying to get, you know, first NTC,
9 and then there sudden deployment, and then I would deploy late. So,
10 conversation is going. I am doing what I usually do. I listen. I
11 watch. And I prod certain topics or I kind of nudge or I tickle
12 certain buttons that might be issues. Just, you know, just to see
13 what a person's character is going to be.

14 Sergeant Leatherman, I had a tendency of challenging him
15 because he was supposed to know it all.

16 Q. Right.

17 A. So, I had a tendency of being a little abrasive with him
18 because of that. You know, that was to test his character. That was
19 to test who he was. Ingalls, he was a good kid. He was an awesome
20 guy. Hilarious person. Was he good for being a Soldier? I could
21 see that it was wearing on him. So, around him, I had to be a joker.
22 Like one day, I had like, I went into his room looking for him and I
23 saw on his floor a box of Kool-Aid. Now, I know him. He likes his

1 little things. Someone had sent him from home the little thing of
2 Kool-Aid things, so I took the Kool-Aid because we were just getting
3 ready to go out to the TCP. So, I took the Kool-Aid. And then out
4 at the TCP, I said, "Hey, Ingalls, did you bring some of that Kool-
5 Aid that you got from home?" He said, "No, man, someone snatched
6 that." And he was all disappointed about it. So, then I went back
7 to my truck and I took some of the Kool-Aid and I mixed it into a
8 water bottle. Because he is always--he is a growing boy. He has a
9 stomach and he usually doesn't have a chance to eat, so he is usually
10 always hungry. So, I got back to the truck and I have this very
11 colorful bottle of water. And he immediately perks up and, "Hey,
12 what you got? Give me some." So, I toss it to him and he takes a
13 drink and I go, "What's that taste like?" He says, "It tastes like
14 Kool-Aid." So, I laugh and I pull the box out. No, I had to go back
15 to the truck and get the box. I threw it back at him, because I knew
16 that there was that disappointment of "Someone just snatched my Kool-
17 Aid." But then we are out at the TCP. We are at the daily grinds of
18 exhausting watch. He is--it is wearing on him because he gets
19 nervous because we are hitting IEDs. You know, so that was a bright
20 spot with him, you know, Bergdahl's joking. You know, that was a
21 trick to play. He could laugh at it and he had the bright side of,
22 "Now, I have my Kool-Aid" and suddenly being out here isn't such a
23 bad thing. You know, so with Ingalls, I had to be a joker.

1 With Sutton, I had to--you know, because he is a very deep
2 thinker. So, with Sutton, I had to get into more of a kind of
3 philosophy kind of psychological thing. Barrow and Cross, they are
4 more of, you know, lighthearted guys. So, being around them was more
5 of a lighthearted thing.

6 So, the conversations were led on by simply me doing what I
7 always do. You test--you see what people are going to do. All
8 right. Going to now--all right. I am just like everybody else. You
9 put me in a room full of guys, I am not the type of guy that is not
10 going to want to establish myself as the Alpha male. I am not the
11 pushover that can't--that could happily go and sit on the sidelines
12 and not--if I am not good at something, that bothers me. Do I want
13 to be better than everybody else? No, I don't want to be better than
14 everyone else, but I do want to do--I don't want to be arrogant about
15 it, but I do want to be better than the average. I want to push
16 myself.

17 Q. Sure.

18 A. And do I like winning? Yes, I like winning. Do I like--
19 so, here I am. All of these guys have had educations. Sutton has a
20 ridiculous education. He is Korean. They grew up and it is amazing
21 what they learned. So, modern technology. All of these guys, they
22 know about computers. They know about the social interactions. I
23 grew up out in the middle of nowhere. I had very little interaction

1 with technology. I had very little interaction with social
2 structures. I had very little interaction with girls. You know,
3 video games, not so much. So, on the average day, or average
4 conversations, I would be lagging behind because I didn't know all
5 that stuff.

6 Q. Sure.

7 A. I didn't know how to use my computer. I didn't know how
8 to--I wasn't like that [snaps fingers] with the radio systems. So, I
9 could come off as a little slow when it came to everyday subjects.
10 And they would--sometimes like Cross would look at me like, "Are you
11 serious? You don't know how to do that?" Or like my spelling
12 ability. I am a terrible speller. And they would look at me--I
13 would ask somebody how to spell a word and they would look at me
14 like, "Are you serious?" The one thing that I knew and the one thing
15 that I had that could, you know, be a point of, you know, "I am good
16 at this" was the fact that I grew up in the mountains. The fact that
17 I understood land nav. The fact that I understood maps. I could do
18 terrain. I could survive out in the wilderness. I knew weapons. I
19 knew how to, you know, I could do, you know, knife fights. I had
20 basics in knife fighting. So, these were things that I knew how to--
21 that I was familiar with that these guys, more or less, city boys
22 coming from public education, they didn't have that.

23 Q. Sure.

1 A. So, going across the Pakistan mountains. How far is it to
2 China? I knew those answers, because that was land nav. They didn't.

3 Q. Right.

4 A. So, in a conversation, I would say, "Oh, yeah, what if I
5 went across the Pakistan mountains?" And they would look at me like,
6 "Oh, wow." The joke was, I knew the reality of the situation, but
7 they didn't. You see?

8 Q. Okay. So, it was just something that you could contribute
9 to the conversation? They--and I don't mean to cut you off, but I
10 will just tell you that they all sort of remember it that way also. I
11 mean, none of these people thought you were serious.

12 A. Na.

13 Q. They all thought it was, you know, "FOB talk." "We were
14 bored to death out here. These PFCs are just trying to outdo each
15 other with wild and crazy stories to pass the time."

16 A. Yeah.

17 Q. And so I just wanted to see if there was more to it than
18 that.

19 A. No.

20 Q. Okay. I mean, that is fair. Again, I don't want to put
21 words in your mouth.

22 A. It was just----

1 Q. One of the other questions I wanted to ask you, and I think
2 you have already answered it, and this has to deal with some of the
3 public opinion out there that you were ostracized by your platoon or
4 that you were isolated by your platoon. That is not the impression
5 that I get from them. I mean, what I get from them, and I want to
6 hear your version of it, because again, it doesn't matter what they
7 think. What matters is what you have to say.

8 A. Yeah.

9 Q. But, what I have come to believe after talking with many of
10 them, and this isn't in their statements, it is in the conversations
11 that I have had with them since, is that, you were an integral member
12 of the platoon. That you were a team player. That you were not
13 ostracized. You were not isolated. That you chose to spend perhaps
14 more time alone than the others did, because sometimes they were
15 doing activities that you didn't want to participate in, but also you
16 liked doing activities that required to be alone. And that they
17 would try to drag you out to join them for dinner or whatever. And
18 sometimes you would go and sometimes you wouldn't. But, it is not--
19 within the platoon, there isn't anything to corroborate. Some of the
20 public view that you were isolated or so--I don't know, tell me your
21 view of it.

22 A. Well, this--my behavior with my platoon will tie into my
23 repeated habits of being in social environments from childhood. I am

1 an introvert. I have to actually put a lot of effort into being a
2 conversationalist in social environments. I can't go to parties
3 because that just drains me. It takes a lot of effort to carry on in
4 a regular conversation with somebody. So, I have a tendency, one,
5 from very early on in life, being an introvert, and being--coming
6 from the household that I came from, coming from my environment, I
7 learned a long time ago, you learn more by listening and watching,
8 and standing off to the side, plus being extremely shy, that is what
9 I did naturally. That is what I learned to do. And you learn a lot
10 and you are able to have that perspective of seeing what is going on
11 and hearing what is going on. Whereas when you are in it and
12 interacting in it, you know, that is funner, but you don't get the
13 whole perspective and also it takes a huge amount of energy.

14 Now, in the basic boot camp, or basic camp, basic training,
15 I was the same way. Drill Sergeant Olivera made me the squad leader.
16 The squad leader of the first squad. And I kept that position all
17 the way up through basic. But, you know, in basic, I was probably
18 the quietest guy there. And everybody knew I was the quietest guy
19 there. I was also one of the older guys. It is just how I deal with
20 the social interactions. I am quiet. Everybody else--human beings
21 like to talk. Most human beings like to talk. Some humans don't
22 like to talk.

23 Q. Right.

1 A. So, for those people that want to talk, let them talk.
2 They feel better about it. For those who don't want to talk, don't
3 make them talk. They will feel better about it.

4 So, when I got to my unit, like I said, the best--it is a
5 very neutral position. When you are in such close quarters with
6 people and you don't want to--and this is your team, and you don't
7 want to cause friction or you don't want to upset people, especially
8 when you are the new guys there, the best thing to do is to just let
9 them be who they are. Let them talk. Let them speak. Let them say
10 what they say. And I will do what I do and I will keep to myself. I
11 will keep quiet. I am not going to be wild mouth. I am not going to
12 be in your face. Do I like books? Yes, I love books, because that
13 is how I have learned so much that I have learned. Do I like
14 spending time by myself? Literally, I was raised to be a loner.
15 That was the environment that I lived in. I was raised, not because
16 I wanted to be alone. Simply because survival reasons for a kid,
17 awkward reasons, embarrassed shy reasons as a teenager, and then as a
18 young adult, functional reasons because I had things to focus on.

19 Q. Okay.

20 A. You know, I am not the socialite that wants to waste--you
21 know, it takes a lot of time to be a social person. But, I didn't
22 have time for that. I wanted to focus on more in-depth subjects.
23 So, when I was around my unit, when I was around those guys in the

1 squad, I am not the type of person who is just going to invite myself
2 to dinner. And I think when I first got there, they were a little--
3 they were testing. They were not quite sure who I was. And because
4 I was quiet, they are not going to impose themselves upon me. So, it
5 was basically--my behavior was, you know, I did my--you know, I
6 interacted with these guys on a level that I thought, one, was going
7 to be the best image that I could present to them. I wasn't going to
8 present myself as a know-it-all or as a loud mouth, or anything like
9 that. I have just simply learned that being the introvert type of
10 person, being quiet, watching and listening so that when you do talk
11 to somebody, you talk to them on that level of who they are. Or, you
12 talk to--or you help them. Like when we were doing exercises, if you
13 watch and you pay attention, and you know that so-in-so has a habit
14 of leaving their multi-tool back in the FOB or whatever, and you know
15 that that one particular gun mount needs a multi-tool to get the
16 stupid pin out, then make sure you have your multi-tool on it and
17 when you see that guy going for it, you know he is going to ask for a
18 multi-tool, so you jump over to that vehicle and you help him out.
19 So, you have to--when you are a part of a team, you have to be able
20 to--standing back and watching and listening to what is going on,
21 helps you, especially when you are the new guy on the team. It helps
22 you learn how to mold yourself into the team.

1 Yeah, I like reading books. And there is times, because I
2 am an introvert, there are just times when I just need that space to
3 recharge, because it takes a lot of effort. And, you know, when I am
4 in that social environment, I am interacting with them. I don't want
5 to be grumpy because I don't want to talk to them. I don't want to
6 be exhausted and snap at them or something like that. I have to put
7 forth, you know, I have to make sure that you are coming across
8 right.

9 Q. Sure. So, let me just ask you, from your perspective, you
10 never felt as though this platoon treated poorly, treated you as an
11 outcast----

12 A. No.

13 Q. ----didn't accept you, didn't embrace you, didn't make you
14 an integral part of the----

15 A. No. It was a team. There was no separation there. There
16 was----

17 Q. And I will just tell you, because you wouldn't know this,
18 because it is certainly not what is out there in public opinion and
19 the media and all that. They all remember you as, if not the best
20 Soldier in the platoon, one of the best Soldiers in the platoon.

21 A. Yeah.

22 Q. I mean, I have asked every single one of them.

23 CDC: Interesting.

1 Q. Despite how they may feel now or despite how their lives
2 changed because--okay, I say before the morning of the 30th, when
3 they discovered you missing and everything that happened since then.
4 Because the things that have happened to all of them since then, a
5 lot of it they attribute to you. Even if it was just--Cross I think,
6 you know, who was in the turret when you were supposed to replace
7 Cross. Well, he ended up pulling like an 11 hours of guard in the
8 turret, you know, because you didn't replace him. And they ended up
9 going out on dismounted patrols looking for you and he ended sitting
10 there. But, I mean, within 24 hours, they had like 200 people on the
11 FOB and 30 vehicles. They did an air assault everyday for almost two
12 months. I mean, their OPTEMPO was just off the charts.

13 A. Yeah.

14 Q. They thought, like you said, they were expecting to leave
15 the FOB that day. Instead of the leaving the FOB day, they stayed
16 there for 11 more days.

17 A. Yeah.

18 Q. So, there is an awful lot that happened that threw them off
19 of their game. You know, okay, but if I draw the line. If I say,
20 "Okay. Tell me, you know, prior to him being discovered missing."

21 CDC: Midnight, yeah.

22 Q. "What did you think of Bowe Bergdahl?" And they would say,
23 I mean, NCOs, some of the ones that you said you didn't care much

1 for, said, "He is the PFC that an NCO would fight for." I mean, you
2 just ought to appreciate their view of you.

3 A. Yeah.

4 Q. "He was the kind of a Soldier"--and this will be in my
5 report too, by the way. I mean, this is all fair.

6 CDC: Yeah. Yeah. Yeah. Yeah.

7 Q. I mean, you have got to tell the whole story here.

8 A. Yeah.

9 Q. You have got to correct the record. And it is important.
10 NCOs saying, "The PFC that we would fight for." And then I would
11 take it one step further and I said, "Was he just a good Soldier or
12 was he a team player?" And they would say, "No, he was team player.
13 He volunteered for duty. He spent his free time reading the Ranger
14 handbook or a field manual, or studying maps. He sharpened my knife
15 for me. He is the only Soldier I had that took nods or his night
16 sight and wrapped it in his t-shirt to protect it. His weapon was
17 always--we went into his tent the morning that he was gone, his stuff
18 was there, dress-right-dress, in better shape than anybody else's."
19 So, that is an important part of the story.

20 A. Yeah.

21 Q. So, you haven't had an opportunity to hear them say that
22 about you. I have.

23 A. Yeah.

1 Q. So, I thought I would share that with you.

2 CDC: Thank you.

3 Q. I think in all fairness, you should know that. Sutton, by
4 the way, is a student at the University of Michigan right now and
5 doing very well.

6 A. That is good to hear.

7 Q. And he is pretty fair and balanced in his judgment.

8 A. Yeah.

9 Q. Maybe a little bit more so than some of the others.

10 A. Yeah. He is--yeah.

11 Q. I don't want to judge others. There is two inconsistencies
12 in our conversation today that I want to point out and I am sure the
13 professor has already picked up on them as well. And just since we
14 are having a conversation and being thorough, why not point them out?
15 I don't know that you will be able to resolve them, but it is worth
16 pointing out and having a crack at it. One of them is, you were--
17 part of your motive was you needed to do something because the
18 leadership was just going to take this in the wrong direction.

19 A. Yeah.

20 Q. But also, part of your urgency was you wanted to hurry up
21 and do it before the leadership changed.

22 A. Yeah.

1 Q. And there is a little bit of inconsistency there, because
2 you might say, "Well, why not wait and let the leadership change, and
3 see if that doesn't make a difference."

4 CDC: I don't know that I would call that an inconsistency.

5 A. The only leadership change was going to be the first
6 sergeant.

7 Q. Okay.

8 A. That was the only leadership that was going to change.

9 Q. Okay. I guess the other leadership had already changed
10 after the field grades and all that?

11 A. Yeah.

12 Q. Okay.

13 A. The leadership changes I was talking about would be
14 Corporal Gaughan getting sergeant.

15 Q. Okay. Okay.

16 A. Leadership change would have been Sergeant Leatherman and
17 Sergeant Louis being demoted.

18 Q. Okay.

19 A. So, these were things that were happening----

20 Q. Going in the wrong direction?

21 A. Yeah.

22 Q. All right. That is fair. The other one is, you keep
23 referring to World War II, the guys hitting the beach and Private

1 Ryan versus the modern day Soldier. And in one sense you see, you
2 know, the unnecessary carnage and just throwing away lives. You
3 know, throwing guys into the breach because they are playing a game
4 and not enough respect for the value of a life. And at the time same
5 time, when we are not doing that now, you see that as a lot less
6 romantic because we are pussies or whatever.

7 A. I never used that word.

8 Q. Okay. Somebody----

9 CDC: Somebody did use that word.

10 Q. Somebody said that you did.

11 CDC: Right.

12 Q. They didn't say that you did, but then somebody said----

13 A. You can ask anybody who actually knows me. I wouldn't----

14 Q. You wouldn't use that word. Yeah. I could see that. That
15 would be----

16 A. I would use the word coward.

17 Q. Yeah, that would be an offensive word. So, again, they
18 embellished that.

19 A. Yeah.

20 Q. But, do you see what I am getting at?

21 A. Yeah.

22 Q. Because today you have described how far we have come and
23 that we don't just throw whole platoons and companies into the

1 breach, because we are trying to achieve an objective and not care
2 about how many people are killed. And yet, you also romanticize for,
3 "Those were real Soldiers." And today, we are cowards in our body
4 armor and our MRAPs and not really taking it to them.

5 A. Well, here is the explanation. If you look at World War
6 II, you obviously saw the tactics that were being used. Using bodies
7 to stop bullets, literally, or shells. If you look, you know, when I
8 say, "We are cowards," for instance, when we were at the TCP, we get
9 word that--well, the Afghan Police aren't going into the local bazaar
10 because there is Taliban there at the bazaar. What do we do? We
11 don't do anything. Do we call it up? Does someone go investigate?
12 No. All right. So, there is a line of being stupid and using life
13 to accomplish a military success as like D-Day or something like
14 that, where you are literally throwing bodies at a beach, hopefully,
15 waiting for them to run out of bullets or for some miracle to happen
16 and we got passed that first line. You just keep throwing bodies at
17 it. All right. There is a difference between that and sitting
18 behind sand bags doing absolutely nothing when we are supposed to be
19 in that country doing something.

20 Q. Okay.

21 A. As a unit.

22 Q. Okay.

23 A. So, there is two extremes that I am pointing out.

1 Q. Okay.

2 A. And when I am referencing, "We shouldn't be cowards or we
3 should do something, we should do more than what we are doing," I am
4 saying that we shouldn't in one extreme.

5 Q. Right.

6 A. And we shouldn't be going in the other extreme.

7 Q. Okay.

8 A. We should be trying to find that middle ground where
9 we are actually moving. Now, hindsight 20/20, as I said, I admit that
10 now I understand, yes, there are certain times where certain units
11 need to hold ground. And their job is to pull guard shift. I
12 understand that now. Back when I was a PFC, my comments were
13 annoyance, boredom, and seeing things accumulating that shouldn't be
14 accumulating. So, my comments would have been--back then they would
15 have been that.

16 Now, what I am saying is, there are these extremes that----

17 Q. Okay.

18 A. It is a middle ground.

19 Q. I got it. Thank you.

20 CDC: I just--my two cents.

21 I/O: Sure.

22 CDC: You are describing an effort to integrate a really
23 considerable number of data points over a very long period of time,
24 where there has been major technological and social change. Let's

1 say from the early 19th Century. I think there are differences. I
2 am just commenting. I think there are differences in kind between
3 classic industrial era warfare, where you had two modern nation
4 states out to kill one and other, on the one hand. That ended
5 basically let's say in the Korean War. And then the era of
6 insurgency, asymmetric warfare really. That is--that is--you know,
7 the Civil War was very different, except for the Mosby's Raiders and
8 that kind of stuff. But, it was very different. It was industrial--
9 that was really the first industrial war where you had serious
10 rifled----

11 SBJ: Repeating firearms.

12 CDC: All I am--yeah, repeating firearms. All I am saying is
13 that I think the effort of integrating, this is really addressed to
14 you, the effort to integrate the kinds of data and theoretical, you
15 know, efforts to provide a general theory of military activity have
16 challenged some of the great thinkers of the last several centuries.
17 Clausewitz, Mahan.

18 I/O: Sure. Sure.

19 CDC: Who is the guy from Harvard? What is his name? The
20 "Soldier and the State." Anyway, a lot of ink has been spilled on this
21 subject by people with a lot of PhDs and all that.

22 A. It is taking an extremely complex history over an extreme
23 long period of time and trying to condense it into----

1 CDC: It is a tough call. It would challenge a lot of people.

2 I/O: But I also see another point that you are getting at is, we
3 now have invested a tremendous amount in force protection for units
4 and for individuals and yet, rather than making us less aggressive,
5 there is perhaps an opportunity to be more aggressive there, not so
6 adverse. This is an American Society thing. And this has to do with
7 our leadership and our people and how----

8 CDC: Where we are.

9 I/O: What they are willing to accept in terms of casualties. It
10 goes back to what I was saying, "How big is the Army going to be?"
11 It is up to the people.

12 CDC: Also, survivability.

13 I/O: Yeah. Yeah.

14 CDC: In my litany, I mean, the whole question of medical care,
15 emergency medical care has changed dramatically since Vietnam.

16 I/O: Yeah, sure.

17 CDC: So, every piece of this is morphing.

18 I/O: Let me--why don't we do this? Why don't we stop for today
19 if that is okay? I don't think we need to----

20 CDC: I want to hear the rest of the sentence.

21 I/O: We don't need to come back after dinner, but I would--and I
22 think we can finish tomorrow and you can make your flight.

23 CDC: You think I can blast out of here between 9 and 9:30 maybe?

1 I/O: Yeah. Yes.

2 CDC: We can start----

3 I/O: Can we meet at 7?

4 CDC: We can meet at 7.

5 I/O: Can you eat chow and be here by 7?

6 SBJ: Yes.

7 I/O: I am not taking Sergeant Bergdahl away from the chow hall.

8 You got to eat breakfast. I don't know what time does the chow hall

9 open?

10 SBJ: I have been eating at the barracks. So, I can do that.

11 That is easy.

12 I/O: I mean, you got to eat.

13 SBJ: Yeah.

14 I/O: I am not going to interfere with chow.

15 CDC: Rule one.

16 I/O: It is still rule one.

17 CDC: Armies move on their stomachs.

18 I/O: It is still rule one.

19 CDC: Who was it that said that? A Frenchman.

20 I/O: Exactly. An artilleryman.

21 CDC: Some Frenchman. Artilleryman.

22 I/O: So, what I would like to do is wrap up. Break today.

23 Let's meet at 7 tomorrow.

1 CDC: Right.

2 I/O: We will get you out of here 9:30 at the absolute latest.

3 CDC: That is great.

4 I/O: Let's meet at 7. We will go for an hour. Take a five
5 minute break. We will go again and we endeavor to be done.

6 SBJ: Okay.

7 I/O: Will you be satisfied with that? Do you think that is
8 enough time? I have a few more questions. They can wait until
9 tomorrow. I would rather wait to digest everything you have said here
10 frankly.

11 CDC: Right. Right. Of course.

12 I/O: I brought photos. I brought maps. If there is anything of
13 that stuff that I need, I will drag them out. If we have time--
14 before we run out of time, I will show them to you anyhow, just
15 because I think that you would find them interesting.

16 SBJ: Yeah.

17 CDC: Let me say one thing, if questions occur to you, and thank
18 you for the accommodation.

19 I/O: Yeah.

20 CDC: Although, I think that unless you have got a different----

21 I/O: No. No. We are on track. Otherwise, I would say, "Hey,
22 let's do it tonight too." But, I think we can wrap up tomorrow in a
23 couple of hours.

1 CDC: But, if questions occur to you as you sort of put this
2 puzzle together, let us know and we will get your answers.

3 I/O: Okay. Good. Okay.

4 CDC: And we can do telephonic.

5 I/O: Okay. Good. All right. Great. That is great.

6 CDC: I am going to be in the country and reachable. We can get
7 a----

8 I/O: You are not going to share them with Fox News are you?

9 CDC: [Laughing.]

10 I/O: We have got to keep it light.

11 CDC: He is learning. He is learning.

12 I/O: You have got to keep it light.

13 CDC: For a general, right?

14 I/O: Okay. One of the things that I would like to talk about
15 tomorrow is some of the correspondence back and forth with Monica and
16 Kayla.

17 SBJ: Okay.

18 I/O: Which are, you know, separate correspondences and so I
19 will--you know, just think about that.

20 One of the things I am trying to do, it is important for me
21 to do this is, you know, you are being truthful to me. You are
22 giving me facts.

23 SBJ: Yeah.

1 I/O: I still need to corroborate the story.

2 CDC: To the extent that it is objectively verifiable.

3 I/O: Right. I mean, some stuff I am not going to be able to--you
4 know, I can't refute it, but I also can't corroborate it. That is
5 problematic. To the extent that I can add a confirmation to what you
6 are telling me, it is very, very helpful to you.

7 SBJ: Yeah.

8 I/O: And to me. I mean, I don't have an agenda here. My job
9 is, as I told you, get all the information, separate fact from
10 fiction. Okay. So, at this point, I got to treat your statements
11 greater value than I would Full. But, I still have got to confirm
12 them or negate them to the extent that I can. That is my job.

13 SBJ: Yeah.

14 I/O: So, that is why I want to get into a little bit of that
15 tomorrow if we can. All right?

16 SBJ: Yeah.

17 CDC: Yeah.

18 I/O: Fair enough?

19 CDC: Yeah.

20 SBJ: Sounds good, sir.

21 I/O: Anything else you want to get off your chest before we
22 break for today?

23 SBJ: No, I think that is it.

1 I/O: Okay.

2 CDC: All right. So, let's plan. Why don't I meet you a quarter
3 to 7 over at TDS? I will park there and then we can walk over here.

4 I/O: That is fine.

5 SBJ: Sure.

6 I/O: Great. Okay. Fair enough.

7 [The interview recessed on 6 August 2014.]

8 [END OF PAGE]

1 [The interview resumed on 7 August 2014.]

2 **PERSONS PRESENT**

3 **MAJOR GENERAL KENNETH R. DAHL, INVESTIGATING OFFICER, [I/O];**

4 **MR. EUGENE FIDELL, CIVILIAN DEFENSE COUNSEL [CDC];**

5 **CAPTAIN ALFREDO FOSTER, DEFENSE COUNSEL [DC];**

6 **SERGEANT BOWE BERGDAHL, SUBJECT [SBJ];**

7 **SERGEANT FIRST CLASS CHRISTOPHER LEE, INTEL ANALYST [WIT];**

8 **STAFF SERGEANT BRITTANY RAMSEY, COURT REPORTER [CR].**

9 I/O: This is a continuation of yesterday, so I just need you to
10 look me in the face and acknowledge that you understand everything.
11 We are continuing based on the same rules we set yesterday morning.

12 SBJ: Understood. We are good.

13 I/O: Okay. Great. Yesterday was a very productive day; I think
14 that is an excellent way to describe it.

15 And as I mentioned, one of the things that I need to do now
16 is to possibly corroborate what you have told me. There are a couple
17 of additional questions I want. There is not a lot. I mean, I don't
18 have a long list of stuff. So, we could take some time with you
19 doing more talking, discovery. If you have got things you didn't
20 finish up yesterday that you still want to share, I am very happy to
21 go through that first. And then I could ask you some specific
22 questions. We could take some time over the maps so we can be sure

1 that we understand, to the greatest extent possible, the routes. And
2 then that is probably it to be honest with you.

3 So, anything that you left on the table yesterday that we
4 just ran out of time for? It got tight. I know we were all tired by
5 the end of the day.

6 CDC: No, we were ready to keep going.

7 I/O: Okay. Okay.

8 SBJ: No. Nothing.

9 I/O: No? Okay. Let me--we will do the maps in a little bit. I
10 have got photographs to, of which, if nothing else, you will find
11 interesting, just because it will bring---

12 SBJ: Yeah.

13 I/O: Reminds you of the COP.

14 CDC: The tech is fascinating by the way, looking at those maps
15 yesterday.

16 I/O: Yeah. Yeah.

17 CDC: That is a good use of taxpayer money.

18 I/O: Yeah.

19 CDC: It is scary. To me, as a civilian, it is amazing.

20 I/O: And, frankly, the reason that they are secret isn't
21 necessarily because there is anything on the map.

22 CDC: No, it is the technology.

23 I/O: Exactly. It is the capability.

1 CDC: This is not Google.

2 I/O: Yeah. No, it is the technology that--so another reason for
3 us not to reveal or to talk much about it.

4 **Questions by the investigating officer:**

5 Q. We will warm up a little bit. There was a question I
6 wanted to ask you. It is along the same lines. I had asked you
7 yesterday about, "Did you feel isolated by the platoon?" Did you
8 feel ostracized by the platoon? I mean, there is this view out
9 there, and again, I think it is sort of what people have been fed,
10 you know, an open source. And by the uniformed or people who are
11 thinking that they know what is going on and maybe don't, have given
12 people this view that, you know, they didn't like you; that they
13 pushed you off to side. And like I said, from what I knew, and
14 before I even asked you, it is just not true. And you confirmed that
15 yesterday. I mean, you felt you were part of the team. In fact,
16 that is really important because if that wasn't the case, your
17 explanation makes no sense.

18 A. Right.

19 Q. Why would you be going through all of this for them when
20 they hated you, didn't care for you, didn't integrate you, didn't
21 plug you in?

22 A. Yeah.

1 Q. And so, I am glad to hear, you know, your version of that
2 is consistent with their version. Your version makes the whole
3 explanation more consistent.

4 A. Yeah.

5 Q. Another piece is your integration into the Army. Okay.
6 This is another one where people have been somewhat accusatory of the
7 Army, of the unit, and then in some cases, unknown people, officials,
8 whatever, have been sort of defensive about those accusations. And
9 yet, I am looking at it and I am not seeing any evidence of that.
10 And what I am getting at is, people are saying, you know, "Poor PFC
11 Bergdahl was never fully welcomed into the Army, above and beyond the
12 platoon." I am talking institutionally. You know, the Army did not
13 ideally integrate PFC Bergdahl into the Army at basic training or
14 AIT, or up at Alaska.

15 CDC: It is interesting. I hadn't seen that narrative.

16 Q. Okay. Good. Well, that is good.

17 CDC: I hadn't noticed. That is one I hadn't noticed. There is
18 a lot of other things, but that one missed me.

19 Q. And that is good. And I think that this was part of--and,
20 again, I didn't participate in it, because I wasn't on this topic for
21 the last five years. I have only been on this since mid-June, but
22 the people who were working on your status and with family and

1 friends, you know, and that dialogue and that discussion has come up
2 a few times and that is where I was reading some of this.

3 So, what I would like to ask you is to tell me, did you
4 ever feel as though you didn't have enough time or there wasn't the
5 right mechanisms in place to integrate you into the unit? Or had you
6 had more time, it would have gone better? Or, was your experience as
7 a PFC going from basic and AIT to Alaska and NTC, and then deploying,
8 different than the others for some reason? Am I asking a good
9 question?

10 A. Yeah.

11 Q. I will keep trying to ask it if I haven't asked a good
12 question, because it is----

13 A. No, I think from what I am understanding, the idea is, was
14 there something wrong institutionally----

15 Q. Right.

16 A. ----that didn't work for me.

17 Q. Right.

18 A. That didn't process--was no. Like for some reason was not
19 working for me?

20 Q. Right.

21 A. I mean, the Army is going to be the Army. It is not going
22 to be like civilian life. When you get into the Army, it is going to
23 be you adapting to the Army. When I got to I think it was--when I

1 got to in-processing at Fort Benning, we sat there for two weeks in-
2 processing and a lot of the time doing nothing. Was that a good
3 system? Well, that is the way the Army had to process us. Was it
4 annoying sitting there doing nothing? Well, everybody that was there
5 was annoyed sitting there doing nothing. But, that is the nature of
6 what it is. When I got to basic training, I met my drill sergeant.
7 I got in my platoon. We got the work done. The Army is--the
8 reputation is, hurry up and wait. 10 minutes early. If you are 10
9 minutes early, you know----

10 Q. Right.

11 A. So, that is just the nature of the things. Never was there
12 any point where the Army wasn't doing something specifically for me.
13 It wasn't--my case didn't happen to be some unique phenomenon----

14 Q. Okay.

15 A. ----where I was missed in some way or another.

16 Q. Okay. So, there may have been things that could have been
17 done better for the whole group, but there wasn't anything unique to
18 your particular circumstance?

19 A. Yeah, I mean, everybody would like to cut out the waste of
20 time or the waste of resources, or the waste of this or that. That
21 is just the nature of having such like a huge group working in the
22 same level of the system. That is just going to be a part of it.
23 So, you just have to adapt and move through it. But, there was never

1 anything that was specifically, you know, a problem with me.
2 Everybody was--you know, we did details. We did our jobs. We did
3 uniforms, times, schedules, work days. It was normal.

4 Q. Okay.

5 CDC: The only perturbation, just listening to Sergeant Bergdahl,
6 his infection, which took him out of cycle.

7 Q. Right.

8 CDC: That is the only thing that I have heard in that
9 conversation.

10 Q. No, and that is good. I will ask the same question. I am
11 going to ask it a little bit differently. And I will bring that in
12 too. So, as I am piecing together chronologies, I am trying to
13 understand this narrative that we don't agree with, but I just want
14 to be able to address it like some of these other things that we have
15 had to address. It's just better to address it and put it aside so
16 the noise doesn't continue to interfere with our clarity.

17 The narrative would be, Soldier goes to basic. It is new
18 leadership. It is a new environment in an AIT, a little bit new
19 leadership, a little bit new environment. Some leave afterwards.
20 So, you are away from that. Then travel to Alaska. Meet new
21 leadership. New environment. Soon after that, NTC. Again, maybe
22 some new leadership depending on how you are task organized probably
23 in some cases. New environment. Back to Alaska. Block leave. So,

1 another little bit of change. For everybody else, after block leave,
2 a little bit of pre-deployment prep and then deploying. For you,
3 Rear Detachment because of the infection. So, there is another
4 little bit of change in leadership. Who is in charge, who are you
5 assigned to temporarily. Then catching up. The second wrinkle,
6 perturbation, would be when you got there, as you mentioned, Gerleve
7 and Buetow were not there. That is your squad leader and your team
8 leader were not necessarily at Sharana when you arrived, because they
9 were on a mission over at FOB Salerno. That was only a week or two I
10 think. But, still, initially they weren't there. So, you went on
11 the Omna mission, which was the mission with the very significant
12 complex attack up on the hill.

13 CDC: The six-day deal.

14 Q. Right. That was not with his assigned squad leader and
15 team leader. It was with another set of leadership. But, then back
16 to Sharana. And now you link up with your squad leader and team
17 leader. And then you are at Sharana. And then it is out to Mest or
18 to OP DUSTWUN or TCP DUSTWUN. And then back to Sharana and then OP
19 Mest. So, that is the narrative.

20 The narrative is there is no period of stability where the
21 leadership has the opportunity to, over a period of time, fully
22 integrate you, fully mentor you, fully indoctrinate you and develop
23 you professionally, personally, and all of that. So, that is the

1 narrative. Now, my question to you is, other than the infection and
2 perhaps arriving and your team leader was at Sharana for a week or
3 two, other than that, that experience was the same for your whole
4 cohort, not just you. So, let me just ask you, how would you grade
5 yourself amongst the cohort? How well did you handle that? As well
6 or better than the others? Or, frankly, you don't even buy it? You
7 don't even buy that narrative?

8 A. I wouldn't say I was better than everybody else. I would
9 say that, you know, I didn't have a problem being in the right
10 uniform, at the right time, with the right equipment in any of that.
11 We might have been--in one instance at NTC where we were like getting
12 ready to leave NTC, and we had some weird like timeframe where we
13 were waiting for the plane, but then it was like the middle of the
14 night or morning that we had to prep for it. Like I had fallen
15 asleep and even then, I woke up at the time I was supposed to wake,
16 but everybody was, you know, they were doing the whole 10 minutes
17 early and I wasn't 10 minutes early. And they were like, "Where is
18 Bergdahl?" And then that kind of--that was a panic on their part.
19 But, otherwise, I was a private. I was just----

20 Q. Okay.

21 A. I was focused. I wasn't a problem. I did my best to carry
22 my weight and to do what I was supposed to do and to help pick up the

1 team tasks that we needed to pick up. So, there was no situation
2 where--it wasn't unusual.

3 Q. Okay. Yeah. I mean, my observation, you know, based on
4 what I learned before I had the chance to talk to you is that you
5 handled it at least as well, you know, as everybody else in that
6 cohort.

7 A. Yeah.

8 Q. And I wouldn't know enough to know if you handled it better
9 than the others in the cohort because there aren't any other problems
10 that I am seeing from the cohort. And, again, if not for the
11 circumstances, we wouldn't be examining your response to that either.
12 So, I don't see any--I have not observed anything institutionally.
13 Again, putting this all into context, this is 2008. It is when the
14 Army had two wars going on at the same time. And, again, the context
15 is important to this narrative, which I don't buy. But, just so you
16 understand why it has come up. And I am not sure what the motivation
17 is for it to come up or that it came up, to be honest with you.
18 However, this was when in 2008, we had just decided that we were
19 going to increase the size of the force in Afghanistan.

20 CDC: The surge.

21 Q. The surge, yeah. And then also into Iraq--I am sorry. We
22 were going to increase into Iraq and we were going to keep it,
23 sustain it in Afghanistan, perhaps even increase it in Afghanistan.

1 So, what that meant was, we didn't have more brigades, more brigade
2 combat teams to apply. So, what we did was, we had units that were
3 deploying on 12-months, after 12 months at home. And, you know, 4-
4 25, Sergeant Bergdahl's brigade, PFC Bergdahl at the time, was one of
5 those brigades. This is an important part of the unit context and
6 narrative. So, you know, Captain Silvino and many of the guys in the
7 company and the battalion had been in Iraq for a year. They came
8 home, they were home 12 months and then they were in Afghanistan,
9 which is a very significant turn. You only have 12 months at home,
10 and during that 12 months, you are training. You are not just taking
11 a knee and putting your feet up. I mean, you are taking a little bit
12 of time with family and friends, but you also have to adjust to a
13 completely different environment, in a different language, a
14 different culture. And, in this case, for this particular unit,
15 depending on where they were fighting in Iraq and then later in
16 Afghanistan, they are going from an environment where there was a
17 more kinetic environment in terms of the way that they were fighting
18 to a more counterinsurgency type of environment. And I think, as you
19 mentioned, even over Thanksgiving, this unit did not take the
20 Thanksgiving break, even though they were only home for that one year
21 between, they stayed at the training center, National Training
22 Center, over Thanksgiving so that they could take advantage of the
23 ranges. I mean, that was the idea.

1 CDC: To take advantage of the?

2 I/O: Of the ranges.

3 CDC: The ranges.

4 I/O: Yeah, because they had better opportunity to go to the
5 ranges down at the National Training Center than they had up in
6 Alaska and they wanted to take advantage of that. Having said that,
7 Sergeant Bergdahl relayed to us yesterday, that that didn't
8 necessarily go ideally. But, the intent wasn't to waste people's
9 time. The intent wasn't to keep people from being away from their
10 family deliberately just for the heck of it. The idea was, we are
11 going to combat. We only had 12 months at home. We have got a bunch
12 of new folks. Let's take advantage of the ranges here while we can.
13 And although the execution wasn't, perhaps, wasn't ideal, based on
14 what you told us yesterday. So, that is sort of the context of this.
15 And it leads into the--you know, we will talk in a minute here about
16 the enlistment thing. So, the context for the enlistment also and
17 this is where the conversation about the waivers is out there also.

18 How is it--in fact, Kim is also on record saying, and you
19 have heard her probably, "How can the Army enlist him? He was in the
20 Coast Guard and he left the Coast Guard, so why would the Army accept
21 him?" Well, there is a variety of answers to that. But just to set
22 the context for it, before I ask you some questions about that, this
23 was a time when the Army was trying to generate a force. So, we

1 talked yesterday about 28 percent or 25 percent is what you are
2 pulling from. So, if you have somebody who is capable of joining and
3 they want to join, then you are going to allow them to join. If it
4 requires a waiver, because they had previously been in the Coast
5 Guard and departed, you know, then if you have the opportunity to
6 grant the waiver, you will grant the waiver. In other times, I mean,
7 frankly, I don't know that you would have been able to reenlist now
8 because the Army is downsizing.

9 SBJ: Right.

10 I/O: So, I don't know for sure, but it wouldn't surprise me if
11 you were to go to a recruiting station now, as you did back in 2008,
12 they would say, "We are not granting waivers, because we don't need
13 to grant waivers, because I don't need to bring that many people into
14 the force.

15 CDC: Right.

16 I/O: So, that is the context. The context was, it was a time
17 when we were trying to attract people and so we are granting more
18 waivers, we are giving signing bonuses or whatever might be.

19 Q. Do you recall if you got a signing bonus?

20 A. I got like \$5,000 or so.

21 Q. So, I mean the bonuses that they offered go up and down
22 based on how attractive you are trying to make it, you know, what the
23 incentives are. Those kinds of things. So, that is the context of

1 this question about, you know, were we generating a force so rapidly
2 that we were haphazard, and sloppy, and, *ad hoc* about fully
3 integrating folks in there. It is a good question for us. And part
4 of our discussion yesterday, you know, I mean I appreciate some of
5 what you said yesterday was, you know, "We always need to be
6 constantly look at ourselves and making sure we are adhering to our
7 values and that we are doing things right." We are very good about
8 doing after action review and lessons learned, and trying to get
9 better. And so that is, I think, the context of it. It is like, is
10 it something that we did wrong that we could have done better going
11 forward. So, having said that, I think we can set aside that there
12 wasn't any major problems in terms of your integration into the Army
13 or into being accepted in the platoon.

14 A. Yeah.

15 Q. Okay. And, again, this will be hard for you to recall all
16 of this. When you--I have the benefit of going back and finding some
17 of the records and--maybe I do, maybe I don't, when you enlisted into
18 the Coast Guard. I don't have them here, but that is okay. I know
19 what you said and I will just ask you.

20 There was a--when you left--we mentioned yesterday
21 circumstances of your leaving the Coast Guard. You met with the
22 doctor and you believe the doctor was a psychologist or a
23 psychiatrist and this was when you had the panic attack I think you

1 described it as. In the record, I think you had a bloody nose at the
2 time and they brought you to the hospital. When you departed, the
3 Coast Guard did the right thing, put the correct reenlistment code on
4 there saying it is an early entry discharge. It is very typical.
5 Again, one of the notes I made yesterday when we were talking was
6 that you weren't the only one. I mean, you were very hard on
7 yourself when you left the Coast Guard. And the note I wrote was you
8 weren't the only one leaving the Coast Guard early. I mean, there is
9 a reason why we have that early discharge and that code. The
10 question is, when you came into the Army, the Army asked, on the
11 form, you check a little thing saying, "Were you previously treated
12 for psychological purposes or whatever?" You checked, "Yes," but you
13 didn't refer--and then there is a note okay explaining the check like
14 on most medical forms. What you wrote on there wasn't in reference
15 to the Coast Guard psychological thing. [Private Health Information deleted]
16 So, my question is, why not refer to--not 2006 when you left the Coast
17 Guard, two years later after a variety of things that you explored
18 during that period that you came into the Army. The Army says, you know,
19 did you--"Were you ever treated for a psychological or behavioral health
20 specialist" or something like that is what the question says.

21 A. For the Coast Guard.

1 Q. You said, "Yes, I have been previously." It didn't
2 specifically--the question is just more generally, "Have you ever
3 been seen by a behavioral health specialist or a psychologist, mental
4 health issues" something like that. You checked, "Yes," but you
5 didn't refer to the 2006 Coast Guard thing. You referred to
6 something that happened when you were 10.

7 A. Yeah.

8 Q. So, that is the question. Help me square that circle
9 there.

10 A. I think I know what you are talking about and it wasn't me
11 who was writing it. It was in cursive?

12 Q. Yes.

13 A. Yeah, that was--that would have been the recruiter who
14 wrote that in there.

15 Q. Okay. So, it wasn't your handwriting?

16 A. So, I didn't--yeah, it wasn't in my--I am pretty sure that
17 was the one that we were looking at.

18 CDC: Yeah. That is the short answer.

19 Q. Okay. Okay.

20 A. So, basically, I think I was talking to the recruiter
21 giving him information and it would have been him who was writing it
22 down in whatever blocks that he was writing it down in.

1 Q. And then there is a statement that you make that you sign
2 too. And I guess that is the question is, you know, the statement
3 that you wrote and signed, and that is a typed statement, you know,
4 and then your signature is on there. Did you write that statement or
5 was that a prepared statement?

6 CDC: Can I see what you are----

7 Q. Yeah, I am looking for that.

8 CDC: ----if you have got a document for me.

9 Q. I am trying to find the wording for it. Hey, Sergeant
10 Ramsey, if anybody has that quotation. I don't see here in the notes
11 that I have with me. Not the quotation, the statement that Sergeant
12 Bergdahl made on his enlistment document into the Army. That is what
13 I am looking for.

14 A. If you don't have it, it is just right over in the
15 barracks.

16 Q. I am sure we have it.

17 CR: Just one moment, sir. I am getting it.

18 Q. Okay. Good. Thanks. Give them a minute. They will dig
19 it up. So, the general issue is, what we are trying to do is to
20 determine was there anything that--inappropriate about your
21 enlistment in the Army subsequent to your enlistment in the Coast
22 Guard. The codes are all entirely appropriate. You were in the

1 Coast Guard. The Coast Guard discharged you. You then joined the
2 Army. Did the Army do anything wrong?

3 [The court reporter entered the room and handed documents to the
4 investigating officer.]

5 Q. So, this one says on your medical record, "In the last
6 seven years, have you consulted a mental health professional?" And
7 you checked, "No." So, this is the Army recruiting you. Yeah.
8 Yeah, so it is "No" to all these answers, but this is the block
9 checked here. So, in your medical record, "In the last seven years
10 have you consulted a mental health professional, psychiatrist,
11 psychologist, counselor, et cetera, or have you consulted with
12 another health care provider about a mental health related
13 condition?" And you checked "No," but obviously two years earlier
14 was when you had the panic attack. So, that is the question.
15 [The court reporter conferred with the investigating officer.]

16 Q. And this is the one you are saying is not your handwriting?

17 A. Not my handwriting. And I will be honest with you, sir,
18 the way that the paperwork was filled out at the Army recruiters, I
19 am an extremely bad speller.

20 Q. I noticed that.

21 A. And I am extremely adverse to--adverse to paperwork. So,
22 when I went to the recruiters, basically I was sitting there talking
23 to him and he was writing and filling everything in.

1 Q. Okay.

2 CDC: That is on that. But, on the machine printed form, the
3 question is framed in a way that wouldn't pick up his having been
4 literally seen. That is not, I think, consulting a mental health
5 provider. You know, consulting a mental health provider to me,
6 means, "All right. I need a meeting with some shrink or a
7 psychologist or something." That is not----

8 A. When he asked me that question----

9 CDC: Hold on one second. The drafting of it is not calculated
10 to pick up the factual setting of a guy being separated after a panic
11 attack. That is not for treatment purposes. That is----

12 Q. So, let me just ask you, Sergeant Bergdahl. So, this was
13 the question.

14 A. Yeah.

15 Q. I mean, obviously, it says here that you answered, "No."
16 This was the question that you were checking or he was asking you and
17 he was checking, on or the other. "In the last seven years, have you
18 consulted a mental health professional" and then it gives examples of
19 psychiatrist, psychologist, counselor, or have you consulted with
20 another health care provider about a mental health related condition.
21 And I think what Professor Bergdahl [sic-Fidell] is alluding to----

22 CDC: Fidell.

23 Q. What did I say?

1 CDC: Bergdahl.

2 Q. Oh, I am sorry. Professor Fidell is alluding to, is did
3 that trigger to you, "They are talking about the time that I saw the
4 guy in the Coast Guard as I was leaving" or it did not?

5 A. So, what happened was, I was in the hospital bed. I had
6 just gone through all that. Somebody comes into me. He asks me a
7 couple of questions like, "How are you feeling?" Or like, "Do you
8 want to keep going?" So, in my mind "consulting" that wouldn't have
9 triggered me thinking back to that.

10 Q. Okay.

11 A. Now, my recruiter, he knew about my Coast Guard discharge.
12 I gave him--I had taken my Coast Guard paperwork into him, which he
13 thought was amazing because it helped him in having to fill out more
14 paperwork. So, I gave him that paperwork. When he asked me that,
15 no, I wouldn't have considered a guy standing [next to] me asking--a guy
16 sitting next to me in that bed asking me a couple of question and
17 then he is handing me a piece of paper saying, "sign here" and then
18 walking away. That, to my mind, wouldn't have triggered the idea of
19 consulting a psychologist.

20 Q. Nope, and that is the question and that is fair. And then
21 further explanation [Private Health Information deleted] Nothing with no
22 medication or follow-up was needed I think it says in there. And it says,
23 "Resolved." So, you didn't write that. Somebody else wrote that.

1 You told them what to write and they wrote it in there.

2 A. Yeah.

3 CDC: It is also outside the time window of the question.

4 Q. It is not seven--that is exactly right. And then this is the
5 other statement. This is where it says--okay, this was the statement that
6 you signed. It was typed.

7 "I joined the Coast Guard in January of 2006. While in recruit
8 training I had a hard time adapting to change. I had a lot going on
9 with things at home and I do not feel that I was prepared on my own.
10 I couldn't take care of issues at home and was able to obtain a
11 discharge to do so. They did discharge me with a reentry code of 3L.
12 I have no ties to home anymore that would hinder my performance while
13 the military. I have matured and know that I am prepared to go
14 into the Army. Please do not allow my past record to prevent me from
15 coming into the Army."

16 So, does that sound familiar?

17 A. Honestly, what happened was, I told the recruiter--I gave
18 him the story and he typed something up.

19 Q. Okay.

20 A. I didn't know what "reentry code"----

21 Q. That would have been on the paperwork that you handed him
22 probably.

1 CDC: Did you tell him about the panic attack?

2 A. Yeah, he had that paperwork.

3 But, I didn't type that up.

4 Q. But that comment there is not inconsistent with your memory
5 or what we talked about yesterday I don't think either.

6 A. From what I can remember of the day, he was doing what the
7 he was doing what the recruiter does; get the person in.

8 I was giving him information. He asked me what happened.

9 I told him the--my overall understanding of what happened.

10 He typed something up. That he typed up.

11 Q. Okay. In all of that--let me turn the whole thing around.

12 In all of that, did you feel as though the recruiter did anything

13 inappropriate or was hiding, or was trying to avoid something in

14 bringing you into the Army?

15 A. No, I think he was doing what a recruiter was supposed to
16 do.

17 Q. Okay.

18 A. And the things he typed up was--you know, I couldn't type
19 something as official and clear sounding like that. I couldn't type
20 that up. I would have typed up an entire blasted story.

21 Q. Sure.

1 A. So, I was there to sign the papers. He knew I was there to
2 sign the papers. And I told him, "Get me in to boot camp as quickly
3 as possible."

4 Q. Okay. Okay.

5 A. And like I said, I didn't fill out any--I have an allergy
6 to paperwork. He was faster with the computer. So, he just--we sat
7 there. He asked me questions. I answered. He typed things up. He
8 filled it all out.

9 Q. Okay.

10 CDC: So, he asked you what happened at boot camp.

11 A. Yeah, in Coast Guard boot camp.

12 CDC: Did you tell him?

13 A. Yeah, because he had the paperwork in front of him. When
14 he came to that, he said, "So, what is this? What happened here?"
15 And I told him what happened there.

16 Q. Okay.

17 A. And he said, "Well, okay, I am going to need to do this."
18 And he typed up a statement. I am pretty sure that it was that
19 statement that he typed up. He read it off to me. Yeah, I think he
20 read it off. Yeah. He read it off to me. You know, I am paying
21 half a mind because I am sitting in a recruiters getting ready to
22 join the Army.

23 Q. Right. "Where do I sign?"

1 A. Yeah. So, yeah, I mean, he was just--he was doing the
2 paperwork, going through the paperwork, asking me questions, and I
3 was answering them.

4 Q. Okay.

5 A. He was filling things out.

6 Q. Okay. I guess the very, very clear way of asking it is, he
7 wasn't hiding anything? He wasn't playing any games? He wasn't
8 avoiding anything and you weren't hiding anything?

9 A. Yeah.

10 Q. Okay. It was transparent in both directions. Everybody
11 knew what was going on. Full disclosure.

12 A. Yeah.

13 Q. And that is fair. I mean, the documents aren't clear
14 enough in either direction. And we just need to confirm your view of
15 it, your feelings on it, and that helps. And this goes off of the
16 legal paperwork and the enlistment paperwork and all the rest of
17 that. And, again, this goes back to I don't know which article it
18 was, probably Rolling Stone or Daily Beast or something. Those are
19 the ones that keep coming up. One of your friends, and I don't
20 recall who it was, they might have even given a name. Oh, as a
21 matter of fact, it was a legal--Kim also, when you came back, you
22 said, "I faked my psychological discharge out of the Coast Guard."
23 And Kim said, "You don't fake anything. And oh, by the way, Bowe, I

1 read some of your writings while you were in the Coast Guard. That
2 was pretty scary stuff." So, help me square that part of it as well.

3 A. What you are dealing with there is a young man's ego. The
4 idea of failing something because I wasn't capable of it--see,
5 because the way I portrayed myself to Kim and everybody else was, I
6 could take care of myself. And I was a Soldier. And I could deal
7 with high pressure situations. So, from that perspective, you know,
8 failing a boot camp is like saying, you know, obviously you are not
9 capable of being that type of person. So, that answer came from a
10 young man's ego talking to people who didn't know the actual
11 situation. They weren't there. They have no proof of anything.
12 And, you know, it was--Kim was right. You don't fake something like
13 that, but you know, a young man, I didn't want--one, it didn't sit
14 well with me that I failed that. And to be seen by my, you know,
15 more closer to being a family than anything else, being seen by these
16 people on the one thing that has kind of been my individual
17 separation and that thing that nobody else could do, to be seen as an
18 actual failure in that was, you know, didn't sit well with me either.

19 Q. Okay.

20 A. So, I am afraid there was a little----

21 Q. So, you didn't fake it?

22 A. I didn't fake it.

23 Q. You told Kim you did and she didn't buy it anyhow?

1 A. Yeah, she didn't buy it anyhow, because you know, she is
2 Kim.

3 CDC: She has got your number at some point.

4 A. Yeah, pretty much.

5 Q. Okay.

6 A. So, yeah, like I said, that is a young man's ego trying to-
7 ---

8 Q. Is there, and I am not going to pry into matters that
9 aren't important, but let me ask you about the comment about the
10 [Private Health Information deleted]

11 A. Yeah.

12 Q. Is there anything that is germane about that in terms of,
13 you know, when we started early yesterday morning, you said, "You
14 have got to start long before I join the Coast Guard to understand
15 all of this story." Is there anything there that is germane to it?
16 And if not, we don't need to address it.

17 A. No. That was a----

18 CDC: I am not going to instruct Bowe not to get into this. We
19 are trying to answer every question, so we will answer every
20 question. I am sorry you asked that question, but I am not going to
21 make an objection to it.

22 Q. Okay. Let me----

1 CDC: The question is--you built into it to the way you put it,
2 "is there anything germane, in your opinion." Can I rephrase it?

3 Q. Yeah.

4 CDC: Is that fair game?

5 Q. Yeah, absolutely.

6

7 CDC: Is there anything germane, in your opinion, to your
8 military service concerning that [Private Health Information Deleted]
9 or whatever?

10 A. No.

11 Q. Okay.

12 A. No. Military----

13 Q. It is a fair answer to a better phrased question.

14 CDC: That is why I get the big bucks.

15 Q. That is a fair answer to a better phrased question. And
16 that is why I started out the way I did. I don't need to--you know,
17 I am fact-finding here. I am separating fact from fiction. I don't
18 need to know stuff that is not relevant, that is not germane. And I
19 don't need to dig deeper. And that is going back quite a ways.

20 CDC: And all true, and part of the tape that is running in my
21 own mind is, your report, I imagine will be classified. Well, no, I
22 think you were asked to do an unclassified.

23 Q. It will be an unclassified.

24 CDC: But, the country leaks like a sieve.

1 Q. Yeah, absolutely.

2 CDC: And I just--you know, I am very-----

3 Q. Sensitive.

4 CDC: ----mindful of that.

5 Q. And I am too. And I am too.

6 CDC: He is a young man. He has got a whole life to live.

7 Q. That is right. That is right. Yeah. There is
8 unclassified stuff. There is classified stuff. And then there is
9 sensitive stuff. And I am mindful of that as well. We will move on.
10 The answer to the question was, "No." And I am satisfied with that
11 and we will move on.

12 Okay. So, now what I want to talk a little bit about, as I
13 mentioned yesterday, you know, some of the e-mails, communications,
14 whatever they were, Facebook posts back and forth with Kayla and then
15 also with Monica. Let's talk about the ones with Kayla.

16 A. Okay.

17 Q. So, walk me through the, if you would, communication you
18 wrote back to Kayla and you said, "Plans are developing. If the
19 military or somebody comes to the house, don't let your mom get
20 upset." Do you know which one I am talking about?

21 A. Yeah.

22 Q. Okay. Just walk me through that. And I think that that
23 was a few weeks--I think it was early June. So, it might have been

1 about three weeks before you were found missing. So, help me
2 understand what was going on there.

3 A. The actual plan that I carried out hadn't started forming
4 at that point; however, I had started picking up on the fact that
5 something was going to be needed to be done and I was going to have
6 to do something that was unusual. And I could see that, if I was
7 going to do something unusual, then worst case scenario would be
8 through my running the scenarios and simulations in my mind, would be
9 something happening to the point that, you know, covering all bases
10 basically saying, you know, if there is a--if something happens, then
11 of course, family and friends are going to be, you know, talked to
12 for one reason or another. I didn't know why. But, basically, what
13 it was, was me trying to very lightly prepare my loved--people that I
14 love for a possible shift in suddenly people are calling their house
15 saying, you know, "This is such and such and we need to talk to you
16 about Private Bergdahl." So, it was the--because as much as, you
17 know, as much of a loner as I am or somebody who is going to act in
18 a--you know, because when I got to Afghanistan, my idea was, "This is
19 what I am doing. Don't worry about back at home. Your actions here
20 in the military zone." In other words, if I am going to do something
21 that might get me killed, I am not thinking--when I got to
22 Afghanistan, I stopped thinking about America basically. Because if
23 something--if I have to get a mission done, then that means risking

1 my life, the last thing that I need to be, you know, is having that
2 hesitation in my mind because I have--my head is back at home.

3 Q. Okay.

4 A. But, this was something different. And it didn't sit well
5 with me to just suddenly drop them. Like one moment they know
6 everything is fine and the next moment, bam, something happens and
7 they are just sitting there with the wind knocked out of them going,
8 "What happened?"

9 So, I got a feeling that something had to be done. And by
10 me doing something, obviously, out of character than what a private
11 should be doing, is going to create some kind of controversy. And
12 so, that was the prep. Trying to prepare them [for] that, you know,
13 something is in the wind, something is unusual. It might change.
14 You know, just to get their mindset kind of--put a question in their
15 mind so that they are starting to think, you know, "What is going on"
16 so that when something does happen, they are going to be like, well,
17 you know, they are prepared for it. But, like I said, the actual
18 plan that I actually carried out, hadn't come into full theory or
19 full--it hadn't come into my head at that point. I only had an idea
20 that something was up.

21 Q. Okay.

22 A. And that I was looking at things. And I was going, either
23 it was me going into the commander's office and telling him, "This is

1 messed up and you can't do this" or it was me doing something else
2 that was going to cause some kind of controversy.

3 Q. Okay. So, in running the scenarios and the simulations,
4 you didn't have a detailed plan yet, but that early on, you were
5 thinking, "It could turn out with one of these options."

6 A. It could mean me going on strike and saying, "I am not
7 doing anything until something happens."

8 Q. Okay. All right. And then imaging that could result in
9 somebody going back to----

10 A. Yeah.

11 Q. And let me ask you, why would they go to Kim?

12 A. It was worst case scenario.

13 Q. Okay.

14 A. She was in the paperwork as my God mother. She had certain
15 financial, you know, the insurance and all that. The life insurance
16 and like the death.

17 Q. Death gratuity.

18 A. Gratuity, yeah. So, she was in the paperwork. So that's
19 typical detective work is to hit the people--if something happens, go
20 to the people who were immediately surrounding him or who was
21 immediately connected to him and talk to them .

22 Q. Okay.

23 A. So that was the thinking there.

1 Q. Okay.

2 A. It was just worst case scenario, what if something gets out
3 of control? What if something happens?

4 Q. Right.

5 A. What if I do something that they want to go, "Well, we need
6 to understand what kind of person this is." Where are they going to
7 go? They're going to do background checks.

8 Q. Right, okay.

9 A. They're going to go back to the people.

10 Q. She was not your primary next of kin, though, however?

11 A. No.

12 Q. That was your parents, right?

13 A. That was my parents.

14 Q. Okay. And the simulations and scenarios----

15 A. My parents, that was different because, honestly, I have
16 issues with my parents and the way I grew up from the way they raised
17 me, so I have issues there. So that--I was desensitized to how they
18 were going to feel if suddenly they were, you know, dropped into the
19 middle of things. I prepped them by sending them that email that we
20 talked about yesterday, the last email I sent to them.

21 Q. Right.

1 A. That was kind of the conscience of I should send them
2 something. So I sent them that email.

3 Q. Okay.

4 A. I gave them the general feeling of how everything had built
5 up and how things were--I only had so much time before I had to get
6 back to duty so I had to compress everything into one email, which is
7 why it's so vague and so rather--in order to understand that email,
8 you have to understand the context of it and where I was coming from
9 and what I was thinking at the time, which is why it was a personal
10 email.

11 Q. Sure, right.

12 A. And to somebody who was going to read it and go, "Okay."
13 Now, if they want an explanation on that, they're going to have to
14 get the explanation from me. You know, it wasn't meant to be
15 published so that the entire nation can suddenly start using their
16 imaginations to fill in all the details.

17 Q. Right.

18 A. And *Rolling Stone* is taking little excerpts----

19 Q. Right.

20 A. ----and using it for their own agenda.

21 Q. Okay.

22 A. It was a personal email that I was trying to tell them
23 something is up, something's happening because this is the situation

1 compressed into a tiny email of things are messed up, I have to do
2 something about it and then they're going to get a phone call saying,
3 "By the way"--you know, they could easily get that because that email
4 that I sent to them was like the day before I went out to the TCP.

5 Q. Right, yeah.

6 A. So I knew what I was going to do, what I was going to do.
7 So I was thinking, "Good grief, how soon are they going to call up
8 the DUSTWUN." They're going to call up my parents and say, "Oh, by
9 the way, your son's missing in the battlefield."

10 Q. Okay.

11 A. You know, that could be within hours. I don't know what
12 they're going to--I don't know what the protocol is.

13 Q. Okay. So the note back to Kayla in early June to Kim was
14 more vague because you hadn't developed your plan yet?

15 A. Yeah.

16 Q. The one to your parents was----

17 A. More detailed.

18 Q. Yeah, although it was vague for somebody who wasn't your
19 parents reading over your shoulder.

20 A. Yeah.

21 Q. For your parents, it was detailed enough that they had a
22 pretty good idea.

23 A. Yeah, red flags would start going up.

1 Q. Do you recall what your dad's response was?

2 A. I never heard. I never got his email.

3 Q. You never got his response.

4 A. Like that night I wrote that email was when we were
5 prepping and leaving.

6 Q. Right.

7 A. I never got the email back.

8 Q. You saw it in the *Rolling Stone* article?

9 A. Yeah.

10 Q. And he said, "Follow your conscience." Or I don't know, I
11 think he did say that.

12 A. Yeah, it said, "Follow your conscience and surround
13 yourself by likeminded people."

14 Q. Right, yeah. Which would be an indication that he
15 understood your message.

16 A. Yeah, he understood where I was coming from.

17 Q. Okay. That's fair. And not only is that fair and I
18 appreciate the explanation of those, I also appreciate the context
19 that you're putting it in. I mean, again, we mentioned yesterday
20 there's a lot of emails that fly back from folks overseas that
21 they're not intended to be public and scrutinized in the way that
22 they are. It's important for my purpose because I'm trying to
23 corroborate the story you told me yesterday.

1 A. Yeah.

2 Q. And I think that that helps. Both of those help me to put
3 those in context. I think there was an element in Kim's, I believe,
4 also where you were talking about money. You know, wanting to
5 protect money. What money were you talking about there?

6 A. That would have been like my paycheck money.

7 Q. Okay. So and you were thinking what's going to happen to
8 my pay?

9 A. Yeah, I was thinking, "I'm about to go head to head with
10 the Army command." One of the things they can do is take my money
11 from me. So it was just like I'm going to sacrifice myself here,
12 however, it's kind of unnecessary to go to the full extent of just
13 losing everything.

14 Q. Okay.

15 A. So it was just kind of--as well as I'm also, you know, back
16 in those days I was very paranoid of systems, computer systems. So
17 having my money in a bank where I didn't have any control over it,
18 wasn't very comfortable with it. It was more of a--having Kim in
19 control over it because she's physically in the country. Even before
20 I left Alaska I had tried to set up something where there was an
21 automatic transfer from my bank account into Kim's bank account.

22 Q. Okay.

1 A. Because I think at that point it was Washington Mutual that
2 had basically collapsed or had to be taken up by another bank.

3 CDC: Yeah, the savings and loan.

4 A. So with that in mind, I didn't like the idea of I'm going
5 to Afghanistan, my Bank of America is the one that has all my money
6 automatically deposited to it.

7 Q. Okay.

8 A. So my thinking before I even left the country was if I
9 could use automatic bill pay to pay Kim, to basically remove money
10 from my bank account so if something did happen, my money, all of my
11 money wouldn't be, I don't know what, lost or caught up in something
12 else. So that was more of a longer running--one, I'm paranoid about
13 bank systems, computer systems. I'm not comfortable about
14 technology. And two, it was another, you know, when I started
15 getting into my plan is it was another thing that the Army could do
16 is stop or take my pay. Like I said, I was a PFC, I didn't know the
17 exact ins and outs of what they could do or couldn't do. I just had
18 the gist of it that if you get an Article 15, they could do
19 corrective, extra duty, take your pay, demote you and things like
20 that.

21 Q. Okay.

22 A. So that was the thinking behind that.

1 Q. Okay. On that same line of thought, there was one of your
2 platoon mates and I can't remember if it was Coe or Cross, it was one
3 of them who made the statement you had told them that you joined the
4 Army, you know, to protect your sister and to provide money for your
5 sister, resources for your sister. And he kept saying, "Your little
6 sister."

7 A. Yeah.

8 Q. And I said, "His sister's not little. His sister's older."
9 I mean, Sky's a few years older than you if I'm not mistaken.

10 A. Yeah, she is. What I was referencing was a very personal
11 matter and it had nothing to do with my actual blood family.

12 Q. Okay.

13 A. It had everything to do with not my sister.

14 Q. Okay.

15 A. And not my family but somebody else that I had kind of
16 taken it upon myself to help out. So that's where--so when I was
17 talking to those guys, whenever I talked about my sister, because me
18 and my sister, my older sister, my blood sister, we don't have the
19 best of relationship.

20 Q. Okay.

21 A. Because one, she was older and just because of the way we
22 grew up. There wasn't a good connection there. So whenever I was
23 talking to these guys, my friends, and I was talking about some of

1 the intimate reasons of why else I joined the Army was because I had
2 this, what I would consider to be not my blood sister, but my real
3 kindred spirit sister. I took it upon myself to help her.

4 Q. So he interpreted that as your younger sister.

5 A. Because they didn't know my family life.

6 Q. Right, right.

7 A. They just went off of what I was willing to let them know
8 about. And when it came to family, I wasn't talkative about those
9 issues except, you know, what I felt a good connection with, which
10 would have been what I perceived as my little sister.

11 Q. The pre-deployment paperwork that you sorted out before you
12 left, DD 93 and all that kind of stuff where you have to elect who's
13 going to receive your death gratuity, who's going to receive your pay
14 and allowances, who's the person who's authorized to determine
15 disposition of the remains and what's called the PADD and all that
16 kind of stuff, and that helps the Army to identify who's the primary
17 next of kin, who's secondary next-of-kin. And then this becomes
18 complicated because Kim is on there but she's not primary next of kin
19 or secondary next-of-kin and also not a legal guardian.

20 A. Yeah.

21 Q. And I think the Army kind of sorted through all of that.
22 The way you had it on there originally was you split the----

23 A. Fifty-fifty split of the \$400,000 life insurance.

1 Q. Between your--I think the death gratuity went to Kim.

2 A. Kim, yeah.

3 Q. Your pay and allowance was split between your mom and your
4 dad, I believe.

5 A. Yeah.

6 Q. And then Kim was the person authorized disposition as an
7 "other" is how I think it was described. Some of those forms,
8 regulations and policies have kind of been adjusted since then.

9 A. Yeah.

10 Q. But that was your intentions, that was clear and that was
11 your intentions at the time?

12 A. Yeah. And the reason why all that paperwork would have
13 been more or less a mess was because I had no idea what I was doing.
14 The person who was filling out the paperwork didn't tell me anything.
15 They just said, "Well, who do you want to leave this to?" Or "Who do
16 you do want to leave this to?" And in my mind, I said, "Okay, well,
17 I should leave that to them." I didn't know what the official thing
18 was. I didn't know if I needed for Kim to be seen as more of a
19 serious candidate in my paperwork, if she needed to be put here or
20 put there. I didn't know any of that. Nobody told me any of that.

21 Q. Okay.

22 A. I was just--people suddenly--I was sat down at a desk,
23 somebody said, "What do you want to do with your life insurance," and

1 I was like, "What life insurance? I don't know. What are you
2 talking about?"

3 Q. Right.

4 A. "Well, who do you want to leave this to?" I was like, "I
5 don't know." I had to make a split choice decision.

6 CDC: Whatever.

7 A. Nobody explained to me and at the same time I'm going when
8 you're talking about death gratuity, you're talking about what
9 happens when I die, when I die, I'm not going to have--if I die, it's
10 not my problem after that. You know, I can only do so much here but
11 being a cocky young man, it was like, "I'm not going to die."

12 Q. Okay, so now you've redone all that paperwork.

13 A. Yeah.

14 Q. Okay, did it go better the second time?

15 A. Probably not.

16 CDC: [Laughs]

17 Q. You didn't pay any more attention the second time than you
18 did the first time?

19 A. I tried to. I tried to. But it was like I was sitting
20 there and the guy who I was sitting with, his computer was doing some
21 really weird things. I don't know what it was. So we were sitting
22 there trying to figure things out and I'm trying to explain. And
23 then at the same time unfortunately I'm looking at this going, "Am I

1 going back to war? Am I going to have to worry about dying? Am I
2 gonna"--you know. And just, as I said, I have an allergy to
3 paperwork. So with the computer and with me trying to tell him what
4 to do and he's probably not hearing me exactly right and everything
5 and then there's something wrong with DEERS and it just turned into a
6 big mess. So I think it turned out roughly--it turned out
7 differently but it probably is the same state of mess.

8 Q. Yeah, okay. All right. So let me just encourage you
9 completely----

10 CDC: You better go back to personnel after this meeting and
11 check your----

12 Q. I want you to. I mean at some point, you might want to
13 say, "Let me take a few minutes." You know, tell your chain of
14 command, "I'd like to take a look at my DD 93 and I'd like to
15 understand the elections that I've made and confirm that I've made
16 the choices that I want to make."

17 A. Yeah.

18 Q. I mean, I'd tell you the same thing, Captain Foster. You
19 need to pay attention to that paperwork. It is a little bit
20 confusing.

21 A. Yeah.

22 Q. Sometimes there's people standing in line. They don't take
23 as much time. But double back when you've got the time, when they've

1 got the time. Listen to them. And make sure you understand it and
2 make the right elections. And I'm not implying that you didn't make
3 the right elections the first time.

4 A. Check.

5 Q. But you should check it. Because it is important.

6 A. Yeah.

7 Q. And the reason it's important is because you go back----

8 CDC: Because the food in the food court is not so--[laughs].

9 Q. I mean, it's important. It really is important. I mean, I
10 unfortunately have done a lot of funerals, especially in the last ten
11 years or so. And when you go to a funeral, the government has to
12 follow certain protocols based on those elections.

13 A. Yeah.

14 Q. And that's not the time to be sorting stuff out between
15 families that have issues.

16 A. Yeah.

17 Q. And it's very, very difficult. So that's one reason. And
18 the other reason is it does sort out, kind of, the money part of it.
19 So it is important. What I will do, though, is to go back--those
20 things have changed. I mean, since you filled it out in 2008 till
21 you filled it out more recently some of the policies have changed to
22 actually address some of--they've opened the aperture so you can make

1 better elections, more refined elections. It used to be fairly
2 draconian.

3 CDC: Yeah.

4 Q. It was a little bit too traditional so it didn't allow for
5 individual circumstances.

6 CDC: Did they go through this drill with you as a part of the
7 reintegration program?

8 A. I don't know.

9 Q. And it may not have even happened until I'm guessing--it
10 certainly happened when you arrived at ARNORTH. I mean, the patch
11 you're wearing now, by the time you put that patch on or soon
12 thereafter, your new chain of command would have asked you to fill
13 out a new DD 93. So all right, Sergeant Bergdahl, make sure your
14 paperwork is straight. That's kind of the bottom line here. I can't
15 make you pay attention.

16 A. Yeah.

17 Q. But we can ask you a second time anyhow.

18 A. I'll double check.

19 Q. It is important. Communications back to Monica and one of
20 them said, I think it might have been to Monica. I'm not sure if
21 that's the one that says, "I'm done compromising."

22 A. I did say I'm not going to be able to----

1 Q. Do you recall communications back to Monica and can you
2 tell me what those were and again, were those the result of
3 simulation and running the scenarios or what were you alerting her to
4 or thinking out loud, you know?

5 A. Monica was--she was on the same lines of Kim and Kayla and
6 all those. Because Kayla and I had that connection. But the
7 difference was a girlfriend is going to be different than, you know,
8 like a family. So with Monica it was difficult for me because from
9 what I could see was if I did something that could easily get me put
10 in the stockade, what would happen is I wouldn't be able to see
11 Monica. Or I could keep playing along and keep my head down and I
12 knew I had mid-tour leave coming up and I knew my tour in 12 months
13 would be over and I would be able to get back to Monica. So I had
14 this struggle where I had to make a choice. I could go back to
15 Monica at a time that I knew I was going to get there. Or I could
16 put Monica on hold and say, "That doesn't matter. This does matter."
17 And do something that could very easily wind me up in stockade or,
18 you know, in a huge mess. So with Monica it was like I didn't want
19 to send her anything because the idea of sending her something was
20 confirming that I was turning my back on her and going to do
21 something else. So I tried to, from what I remember, I tried to word
22 my letters to her in a more calmer but like I was trying to tell her
23 that I had duties that I had to uphold certain ideas that, you know,

1 Army life changes. There are certain things that happen. But at the
2 same time, I wasn't trying to scare her. And I wasn't trying to, you
3 know, send up warning flags with her because I think another thing
4 was because she was my girlfriend, she's going to be a little more
5 sensitive to me sending back letters that were saying, you know,
6 throwing up warning signals. And she might react badly to them.

7 Q. Okay.

8 A. I do recall that one of the letters I sent back to her was
9 basically saying, "Hey, if something happens, help my mom out. Go
10 take care of my mom." Because I still had that duty towards my mom
11 because my mom is more of an emotional, very sensitive type. She's
12 not like my dad. He's very logical, a very hard person. So it was--
13 so that was probably the hardest part was having to say I'm going to
14 put Monica, my personal--because a girlfriend means a lot to me and
15 it always has. Any girl that I've had an interest in, even if it was
16 just a very brief meeting and we shared some good conversation or
17 something like that, there's going to be that connection with a
18 possible partner.

19 Q. Sure.

20 A. That's going to be different than with--so with Monica it
21 was extremely hard to write those letters because it was basically
22 recognizing what I was going to actually do and what I was going to
23 have to sacrifice. I could make it through deployment. I knew I

1 could make it through deployment as long as I didn't step on a mine.
2 I could get through mid-tour leave. And then I could get past the 12
3 months or actually, because I deployed like 3 months late, 9 months.
4 So I was right there and I could go back to Monica. But the
5 problem was the choices I was making wasn't for myself. And I've
6 never been a person to make choices based on my own personal comfort.
7 I've always been a person who has to base--the point of the Samurai
8 Code of Bushido, which is the Honorable Code of Bushido, the point of
9 those codes, the point of the ethics is that you uphold them over
10 personal want or personal, you know, comfort. But it doesn't make it
11 any more easier. So in order for me to do what I did, I had to turn
12 my back on her and that didn't set right with me. But I still had to
13 warn her. So I don't--honestly, I don't remember all of the emails I
14 sent back to her.

15 Q. Okay.

16 A. But I just remember it was extremely hard to write them.
17 It was very difficult to try and word them in a way that I was trying
18 to convey that something might happen. And the reason why it's going
19 to happen is because of ethical issues, I have to take a stand for
20 something. It's a duty. It's a personal motto or a personal life
21 goal that I'm trying to create. I'm trying to do something better
22 with my life, bigger, you know, go further. I'm trying to tell her

1 this but in so many words that isn't exactly, "Hey, this is what I'm
2 going to do."

3 Q. Okay.

4 A. You know, I'm also aware of the fact that I'm on a
5 government monitored website. So I can't--obviously, there's going
6 to be things that if I say, "Well, blah, blah, blah, blah."

7 Q. Right.

8 A. Someone's going to pick up on that anyhow.

9 Q. Because you're writing from the internet cafe.

10 A. Yeah, I'm writing from the internet cafe.

11 Q. Okay, okay.

12 A. So all the messages back are going to be very vague.
13 They're going to be worded in a very loose but kind of specific
14 terms.

15 Q. Okay.

16 A. So they're not going to--if you read the letters they're
17 not going to really make any sense other than the fact that they're
18 vague and they're trying to convey to the person reading them a
19 feeling more or less.

20 Q. Okay. And I know in one of them, and I don't think it was
21 to Monica, I think it might have been to Kayla or Kim where you
22 started writing in code.

23 A. Yeah.

1 Q. Was that in the internet cafe.

2 A. Yeah, the internet cafe.

3 Q. So then you mentioned a secure line. So that's you
4 referring to I'm not on a secure line because I'm in the internet
5 cafe.

6 A. Yeah, internet cafe.

7 Q. So this is government provided Wi-Fi.

8 A. Yeah.

9 Q. Or whatever it was.

10 A. Yeah.

11 Q. Okay. Did you have a mid-tour leave already scheduled? I
12 mean, when you got there do you recall when you were going to take
13 your mid-tour leave?

14 A. It was going to be towards the end of the month, so
15 probably within the last, like if I remember correctly it was going
16 to be like the last couple of months of the tour.

17 Q. Okay.

18 A. So I deployed three months late so it was probably going to
19 be three months or four months, five months down the road.

20 Q. Yeah, okay.

21 A. But it was right there. I was going to go on mid-tour
22 leave, I was going to come back and then we'd be getting out of the
23 country.

1 Q. Right.

2 A. Everybody was like, "Well, that's the best tour to have,
3 that's the best mid-tour leave to have because you leave, then you
4 come back and we just leave the country."

5 Q. Yeah, right.

6 A. You know, so it was at the end. Because I deployed late.

7 Q. Right, so you would have been one of the last ones to
8 take----

9 A. Yeah. They bumped me up.

10 Q. Okay. All right. So it was pretty far down the road.

11 A. It was far down the road but it was because I deployed
12 three months late, left nine months of the deployment.

13 Q. Right.

14 A. I'd already spent up to the end of June to three months, so
15 it was right there.

16 Q. Right.

17 A. I could go back, see Monica, then come back here for only a
18 couple more months and then back to Monica. So you can see why it
19 was like [difficult]----

20 Q. When did you see Monica last? Did you see Monica when you
21 were home on mid-tour or after basic training or?

22 A. No, Monica I didn't get to see her before I left.

23 Q. Okay.

1 A. She was down in Idaho, I was up in Alaska and unfortunately
2 it just didn't work out.

3 Q. Okay. Good, that helps. There's a couple of your emails
4 or writings you refer to "Jack."

5 A. Jack.

6 Q. Jack.

7 CDC: Have you got those handy? It may refresh his recollection.

8 A. Jack.

9 Q. Yeah, if we have any, we'll talk to you.

10 CDC: Yeah.

11 Q. If we have any of the emails with "Jack" on them or I don't
12 know if they were emails or journals. You weren't writing to Jack,
13 you were writing about Jack so it might have been journal stuff.

14 A. Yeah. Because I don't know.

15 Q. And it's in those same lines of John Galt, you know?

16 A. Oh, John Galt [laughs].

17 Q. And that might be where you were saying, "I'm done
18 compromising, 'Where is John Galt?'"

19 A. Do you know the----

20 CDC: Let's not get into politics, please.

21 Q. Well, you made a few references to Jack and I didn't know
22 if there was a Jack or if Jack was a character in one of the books or

1 one of the movies or in a video game. But you don't play video
2 games, I don't think, or not?

3 A. I used to when I was a kid, but after I started working and
4 being out on my own I couldn't justify it.

5 Q. Okay. I was trying to understand who Jack was, honestly.
6 I mean, before I had an opportunity to talk to you.

7 CDC: You don't know who Jack is [laughs]?

8 Q. I was hoping you would tell me. Because, I was trying to
9 figure out who--honestly, I was trying to figure out who's Jack,
10 who's John. I'm reading about John Galt. I'm reading about *Atlas*
11 *Shrugged*. I'm trying to understand. It was important.

12 A. It sounds like journal pages.

13 Q. Yeah.

14 A. Is what it sounds like. And if it was the journal pages, I
15 have a tendency of putting names to ideas.

16 Q. Okay.

17 A. Or names to feelings.

18 Q. Okay.

19 A. More or less, so I'd have to actually--there was never a
20 Jack in my platoon.

21 Q. Okay.

22 A. And there wasn't, unless it was a temporary nickname I was
23 giving a friend, I don't know any Jacks.

1 Q. Okay. Okay, okay.

2 A. So I wouldn't be able to tell you.

3 Q. It's not important.

4 A. Yeah.

5 Q. It's not important. That's all I need to know is it's not
6 important so I don't need to worry about. So don't worry about
7 digging up whatever it was we read about Jack somewhere. I went and
8 looked at, just as a side note, I actually went and looked at--the
9 reason I was asking about--oh, here we go. Okay. So here's my
10 notes. It says, "We don't have any of those." So never mind.

11 CDC: [Laughs] So much for that.

12 Q. I was actually looking at a game called *Bio Shock*. Do you
13 ever remember playing that? I think it came out in like 2007 or so
14 that would have been like between Coast Guard and Army years.

15 A. Yeah, I'd stopped playing video games at that point.

16 Q. If you're interested, you might be into it. I mean, I'm
17 not a video game person. But in researching all this, trying to
18 understand some of the background because I didn't have the benefit
19 of talking to you earlier and I was digging into that. And there's a
20 protagonist in the video game, the original *Bio Shock* that came out
21 that's pretty consistent with the John Galt politics and all that.

22 A. Well, the John Galt doesn't actually--when I mentioned John
23 Galt, it's not referencing politics. What it's referencing is the

1 fact that in *Atlas Shrugged* John Galt, his mission is to end,
2 basically, the system. He said "I'm going to stop the engine of the
3 world." Now, what I was referencing when I referenced John Galt was,
4 "I'm going to stop this." That was the point.

5 Q. Okay.

6 A. I'm going to stop this engine that--from where I was
7 standing, I was seeing what was going on.

8 Q. Right.

9 A. I was seeing the--like, in John Galt, if you read *Atlas*
10 *Shrugged*, it was the authorities who were ruining the country. And
11 John Galt, this nobody who's just a really brilliant scientist sets
12 out to get them at their own game and stop the engine of the world,
13 which in *Atlas Shrugged* would be communism taking over the country.
14 And basically what it is, is John Galt is a capitalist. He believes
15 in you have the right to make money by hard work and everything that
16 you do belongs to you. So it's directly--Ayn Rand wrote the book
17 directly against communism and promoting capitalism. So John Galt is
18 about to stop the communists, basically, communist supporters by
19 stopping the engine of the world at their own game. So when I
20 reference, "Who is John Galt?" Because that's the key word in the
21 book, the entire book. Everyone asks----

22 Q. Over and over again, yeah.

1 A. ----"Who is John Galt?" I'm referencing the fact that the
2 reason why that quote came about was because John Galt, at the very
3 beginning, where he saw it happening, he saw communists coming, he
4 saw the corruptness of the system coming, he walked out and said,
5 "I'm going to stop this engine. I'm going to stop the engine of the
6 world." I'm a very mechanically inclined person. I like engines. I
7 like the puzzle, the way everything fits so smoothly. So it
8 resonated with me.

9 Q. Okay.

10 A. So when I reference John Galt, it's basically this engine
11 that I see going on, this corrupt, these people abusing their power,
12 the commanders who are stepping out of their bounds. They are not
13 doing what they should be doing as leaders. That was the reference.
14 I'm going to stop this engine.

15 Q. Okay.

16 A. Because John Galt basically--in the end of the book, he
17 basically sacrifices himself. He literally hands himself over to the
18 people who want to kill him and at the very end of the book they end
19 up torturing him before his allies, basically, his friends, have to
20 save him. But he didn't save himself. He had to sacrifice himself
21 to allow the whole closure, to allow the engine to completely come to
22 a grinding halt. And then it was all the people that he sacrificed

1 himself for that had to pick up and it was their choice to save him.

2 Right. So he set out to sacrifice himself to save them.

3 Q. Sure.

4 A. And in the end, you can't save the entire world. You have
5 to let the world save itself. All you can do is tip the first domino
6 and then let everybody else, if they have the ability, to pick
7 themselves up and fight for themselves. You can only go so far. So
8 my reference to John Galt is the fact that it just resonated with me
9 and it was to stop this engine.

10 Q. So it was an inspiration of sorts?

11 A. Yeah.

12 Q. So there's some pretty strong parallels between that and
13 the story you told me yesterday.

14 A. Yeah.

15 Q. Except John Galt's a fictional character and it's a novel.

16 CDC: [Laughs]

17 Q. Okay. Bowe Bergdahl's not a fictional character.

18 CDC: It's the U.S. Army

19 Q. And the engine you're referring to is not a fictional
20 engine.

21 A. No.

22 Q. Okay, and the consequences are different, you know, than-
23 so----

1 A. But from a young man's perspective who was out to change
2 the world.

3 Q. I understand. No, I understand. No, that helps a lot.
4 That helps a lot.

5 A. Hindsight is 20-20.

6 Q. I don't know who Jack is and I don't care who Jack is, but
7 that is all very helpful.

8 A. Yeah.

9 Q. And it is, so I got it. Okay. Good. Let me think, what
10 else do I have here? We talked about that and I appreciate that.

11 Okay. I'm going to ask you one question. We'll take a quick break
12 and then maybe we take a look at the maps. I've got some markers and
13 I want you to--and we'll be done on time. We'll be done on time.

14 Who else can I--and again, one of the things I'm doing
15 today is trying to corroborate your story. How do I confirm, you
16 know, the facts, the scenario that you're laying out for me. Who
17 else can I talk to? I mean, is there anybody else I can talk to? Is
18 there anything else I can do that would--because I've been at this
19 for 52 days, 53 days and a great deal of what I have learned and
20 discovered, I can overlay and support some of what you're telling me.
21 Some of it I never imagined before. I mean, is there someplace I can
22 go, somebody I can talk to? Is there something I'm missing, I guess?
23 It's a very open question. But help me help you, I guess, is the--is

1 there something else I can reference or point to or talk to, you
2 know, that would help me understand this?

3 A. Honestly, what is it called when there's a--if I remember,
4 and I could be wrong about this, but in law, somebody who even knows
5 somebody can get in trouble for not doing something about it. So, if
6 they know that this person is going to go do something but they don't
7 say anything about it, then they're legally liable and can have
8 charges brought against them.

9 Q. Right, right.

10 A. I understood that. So I had to present two sides to my
11 friends. And that was one was that I kind of gave them, you know,
12 casual talk was casual talk. I never talked to them about what I was
13 going to do other than maybe very vague questions to see how they
14 were going to react. But I made a----

15 CDC: No, I think what you're referring to is the concept of a
16 duty to report.

17 I/O: Right, yes.

18 CDC: That there are some circumstances under which it--they're
19 rather narrow, actually.

20 I/O: Yeah, yeah.

21 CDC: And it depends on who the listener is, what pay grade and
22 that kind of thing.

23 I/O: Yeah, yeah.

1 CDC: Is that what you're driving at?

2 I/O: Yeah.

3 CDC: There are some things that had you shared, the person you
4 were sharing it with might have had a duty to report.

5 SBJ: They would have gotten in trouble.

6 CDC: And then would have gotten in trouble had they not
7 reported. That's what I'm----

8 I/O: They would have gotten in trouble if they had not reported
9 it.

10 SBJ: Yeah, had not reported it.

11 I/O: Okay.

12 A. So I wasn't going to risk everything coming down and the
13 investigation being launched and what some interrogator finds out is
14 that my friend knew about it.

15 Q. Okay.

16 A. Didn't say anything about it and now----

17 Q. He's in trouble.

18 A. He's in trouble, yeah.

19 Q. Okay.

20 A. So, unfortunately, to answer your question, you're not
21 going to find anything like that.

22 Q. Okay, okay.

23 A. Because I wasn't--this was all on me.

1 Q. Okay.

2 A. And because of that, there's--unfortunately.

3 I/O: Okay, nope, that's fair. Let's take a quick five minutes.
4 When we come back we'll hit the maps with a marker. Is that okay?

5 CDC: Yeah.

6 [The interview recessed on 7 August 2014.]

7 [The interview resumed on 7 August 2014.]

8 I/O: Sergeant First Class Lee is our Intel Analyst at our Corps
9 Intelligence Center. He's the one who helped dig up the maps, the
10 imagery and all that.

11 CDC: Yeah, cool.

12 I/O: If you don't mind, Sergeant Lee, if you could just work
13 with Sergeant Bergdahl and help to re-cover, you know, some of all
14 that.

15 All right? So all I really want to do is, to the greatest
16 extent possible, to help you identify where you were, what routes you
17 took, you know, all the rest of that stuff and just put them on the
18 map with the markers. Okay.

19 Where do you want to start, Sergeant Lee?

20 WIT: It doesn't matter. It's really up to you guys. But just
21 of note, I mean, the intelligence really pointed toward you moving
22 east, which is kind of the general consensus and then the intel kind
23 of spit everything all over everywhere. It was interesting to see

1 when you said yesterday that you kind of skirted this way [pointing
2 to the west of Malak on Exhibit 3].

3 SBJ: Yeah, mm-hm. They didn't expect that.

4 I/O: Yeah, and again, this goes back to, you know, just so you
5 know Gene, I mean, the intelligence, particularly, you know, in the
6 hours after the Taliban and everybody knows PFC Bergdahl is missing,
7 it now all of a sudden becomes all over the map. Okay, so you get 10
8 reports, 9 of them are bullshit. One of them is probably somewhere
9 close to truth, but you don't know which one of those 10 it is.

10 CDC: This is Taliban talking to one another?

11 I/O: Exactly. So you're picking up--some of it's bad
12 translation by our interpreters. Some of it is just they're
13 embellishing between each other. Some of it is deliberate deception.

14 SBJ: They're not even honest with each other.

15 I/O: So what we're trying to do here is get no-kidding ground-
16 truth as you recall it anyhow.

17 SBJ: I can mark on this [viewing Exhibit 4]?

18 I/O: Yeah, just write right on it.

19 CDC: Will that show up, the yellow on that?

20 Q. And here's Sharana [pointing to FOB Sharana on Exhibit 4].

21 A. Yeah, that's FOB Sharana.

22 Q. Yeah.

23 CDC: Use a darker color. I'm just concerned that's going to----

1 WIT: The map's for you, so----

2 A. I just want to start with, basically, this is the OP
3 [identifying OP1 located at COP Mest on Exhibit 4].

4 Q. Yep.

5 A. From my understanding, because this is in the darkness, so
6 I'll give you a general field of basically a sector of possibilities
7 [drawing a yellow sector on Exhibit 4 to indicate directional plan
8 west of Malak].

9 Q. Somewhere in that fan?

10 A. Yes, somewhere in that fan would be the general feeling I
11 had that night.

12 Q. Yeah, and this is the high ground that you recall [pointing
13 toward elevation located in yellow sector on Exhibit 4]?

14 A. Yeah. That was the high ground I recall.

15 Q. That you were a little bit surprised by, I guess?

16 A. Yeah.

17 Q. And you started to climb that a little bit?

18 A. Yeah.

19 Q. But, you do recall coming down on the back side of it?

20 A. Yeah.

21 Q. And then going somewhere up in this fan?

22 A. Yeah, somewhere out there, which is where I'd be.

23 CDC: This is before capture?

1 A. Yeah, this is before capture.

2 CDC: Okay. Maybe you'd want to put an "X" at what you believe
3 is the point of capture.

4 A. The point of capture would be----

5 CDC: Or maybe it's a line, given that you described a cone area,
6 it would presumably be a point on a line somewhere.

7 A. [Drawing a line to indicate the point of capture located
8 north of elevation indicated within yellow sector on Exhibit 4] It
9 would be something like past that line would be my guess.

10 Q. Would be the point of capture?

11 A. Yeah.

12 WIT: This is pretty significant. I mean, I spent time in
13 Sharana in 2011 and 2012 and you started about--Sharana is at 7,700
14 feet above sea level. So if you start climbing any sort of terrain,
15 it's extremely difficult on your cardiovascular system. It's pretty
16 high up there.

17 A. Yeah. And I had actually, prior to this, like I said,
18 physical fitness was my thing.

19 Q. Yeah, yeah.

20 A. I wanted to go Special Forces. So the moment I got to the
21 country, I had started in the evenings whenever I was at Sharana, I
22 had started running and at the FOB Sharana there's a lot of dips and
23 hills.

1 WIT: Yup, you run the fence.

2 A. And so I was physically fit, so I had reason to believe

3 that this distance was doable.

4 Q. Okay.

5 A. It was going to test me, certainly.

6 Q. Yeah.

7 A. But that was the point.

8 Q. Right.

9 A. So making my loop here and then making a bigger loop.

10 Q. And originally, I think if I recall yesterday, you were

11 intending on staying flat the whole way?

12 A. Yeah, I was intending to stay flat and as you can see----

13 Q. This was a surprise when you got to that?

14 A. As you can see this all right here was, but the idea was

15 that they were using these hills to sneak up on the road and put IEDs

16 in there. So I changed to swing out and then swing back in.

17 Q. Yep. That arc is what screwed you up. So let's go onto

18 one of these other ones then. At this point you are blindfolded and

19 you have no idea what happened after that?

20 A. Once I got here, I got blindfolded and----

21 Q. Could have gone anywhere and you wouldn't--could have gone

22 back this way and you wouldn't have known it [pointing in the

1 opposite direction of known travel identified by the subject on
2 Exhibit 4]?

3 Okay, good enough [putting away Exhibit 4].

4 Q. Maybe this one would be good to kind of understand
5 [retrieving Exhibit 3].

6 You said you went through Malak?

7 A. [Viewing Exhibit 3] Yeah.

8 Q. Kind of a general----

9 A. So basically, this is where I started. It was probably
10 something like this [drawing the starting point on Exhibit 3 with a
11 black arc]. Here is going to be a question, I am pretty sure I went
12 this way, like that. I can't remember--it could be possibly this
13 way. Either way I ended up somewhere over here [pointing to the arc
14 previously drawn on Exhibit 3].

15 Q. This is Exhibit 3 right now, Sergeant Ramsey, the first one
16 was whatever this big one is----

17 CDC: Four.

18 I/O: Exhibit 4 was the first one, now we are on Exhibit 3.

19 A. Getting to this point, I did the same thing. The cone
20 would be something like [drawing a cone shape on Exhibit 3].

21 So that would be the idea.

22 Q. These are hundred-meter rings?

23 A. Yes.

1 Q. These are two-hundred meter rings, yeah, those are two-
2 hundred meter rings.

3 WIT: That would change it, sir. Those are two-hundred meter
4 rings.

5 A. That was the direct route there. By this point I was
6 dodging the high-mass silhouettes in the darkness and I didn't have
7 my compass out and I was basically following the terrain and my
8 internal compass and the swinging out. Like I said, twenty minutes
9 out I switched directions, didn't use my compass for the next couple
10 hours and that took me----

11 Q. Your decision to switch directions was when you had
12 realized, "Let me pick up some intel"----

13 A. Let me see if I can----

14 Q. You didn't make that decision until you were 20 minutes
15 outside the wire, okay.

16 Give me an idea of where you were in one of these when day
17 broke and you put on your Afghan garb.

18 A. I had cleared this in the night [pointing to the elevation
19 located in the black arc drawn west of Malak on Exhibit 3]. That was
20 the most severe stuff.

21 Q. So you were north of the high ground?

22 A. I had started to get into more mountainous areas and as you
23 can see, it's a little rougher here. So I would have to say that

1 probably daylight was beginning along the same line. Probably about
2 here [made marks on the exhibit]. That was going to be about grey
3 light and then the sun rising would probably be somewhere around
4 there.

5 CDC: Can I--your question raises a question in my mind.

6 Do you know how long after you put on your native gear were
7 you captured?

8 I don't think you asked that question.

9 I/O: Yeah, I was about to.

10 CDC: Sorry.

11 Q. No, it's exactly right. You're--you leave here, it's about
12 midnight, you get over here, it's still dark, it's grey light here,
13 daylight here, you've got your Afghan garb on now, right?

14 A. Yeah.

15 Q. Because you put your Afghan garb on at about grey light?

16 A. Yeah.

17 Q. So then daylight comes, you're in--and then how soon before
18 the motorcycles roll up on you?

19 An hour? Five hours?

20 A. I was focused on walking, I couldn't remember a thing. I
21 know it all happened before I got closer to noon than was from
22 daylight. I would say maybe a couple hours.

23 Q. So the point of capture is probably out here somewhere?

1 A. Yeah.

2 Q. So roughly out here somewhere.

3 CDC: Further north a bit.

4 WIT: Unless you want to have him kind of give details as to
5 which way he went here, sir. Other than that you kind of alluded to
6 it there, SGT Bergdahl [putting away Exhibit 3 and retrieving Exhibit
7 2].

8 A. [Viewing Exhibit 2] The Lieutenant's truck, because here you
9 can see the gate, his truck was pushed up here.

10 WIT: This image was actually from 2 July, I believe. Just a
11 couple days after you----

12 A. All our tents, like my tent was somewhere around here, this
13 is where my tent was.

14 CR: Sir, can I make a suggestion?

15 I/O: Yup.

16 CR: For the tent, can you just put a "T" next to it and maybe
17 where the truck is "M" for MRAP, just something that identifies it on
18 the maps, so when we look at it later we know what it means.

19 CDC: We are looking at Exhibit 2.

20 I/O: Yup, thank you, Eugene.

21 So that's Lieutenant Billings' MRAP and that's your
22 individual tent. There was another truck over here?

1 A. So this would be covered with C-wire and there would be a
2 truck there [drawing a black rectangular shape to indicate location
3 of MRAP on Exhibit 2].

4 Q. Somebody else's truck, you don't know whose truck that was?

5 A. No, but I'm pretty sure that was the truck that I might
6 have come in [pointing to truck located at entrance near base of hill
7 closest to OP1 on Exhibit 2].

8 Q. The one that you drove out, but then you pulled guard in?

9 A. Yeah, the one I drove out.

10 Q. It was either this one or it was the one that was over
11 here. The First Sergeant's truck was here. The First--excuse me,
12 the platoon sergeant was probably sleeping in a cot right there
13 [drawing a black rectangular shape to identify the platoon sergeant's
14 MRAP and cot on Exhibit 2].

15 A. So my movement would have been from my tent [drawing a
16 circle with an "X" inside the circle to indicate where subject
17 slept], this is--there was like this stream bed right here. So I
18 would have gone to the other side of that. Worked my way along here,
19 this is where roughly the plastic was on the wire. Up this hill,
20 here's where the bunker was, across the plastic thing, across that,
21 in-between this guy and this in here, down into the gully--wait, hold
22 on just----

23 Q. This one?

1 A. Yeah, that one.

2 So it would have been down here and then I skirted the
3 hill.

4 Q. Because if you came further out they might have seen you?

5 A. Yup.

6 Q. So you stayed down here and it's, like you said, had they
7 been standing up with their NODs looking down, they might have
8 seen----

9 A. They would have seen----

10 Q. Sitting down there looking out over the top of you.

11 A. Looking down----

12 Q. Yup.

13 A. ----this is like a blind spot.

14 Q. Yup, okay, good [putting away Exhibit 2].

15 I think you might find some of this stuff interesting, so
16 just flip through them [retrieving various photographs printed from
17 original CID ROI marked as Exhibits 10 through 39]. It's not like I
18 need you to do anything on this, but these are just--again, this is
19 the OP up here. You are coming down here, skirting down this way,
20 and around behind the hill, right [viewing Exhibit 37]?

21 A. Yup.

22 Q. This is the OP on the top of the hill?

23 A. Yup. As you can see----

1 I/O: That's Exhibit 37.

2 A. As you can see, the only thing that was there was that
3 little window and that would be across the guy who was sleeping right
4 there and those guys would be set there. We had no reason to look
5 out that window because the ANP was right behind us.

6 Q. So they would be looking out that way, so you could come up
7 without being seen. This is Exhibit 39. And there's the truck at
8 this entrance, this is the truck--your truck would have been a little
9 further down here.

10 WIT: It would have been pressed over here. You see that opening?

11 Q. And you would have been sleeping somewhere right in here?

12 A. Right there and our trucks were pressed all the way up the
13 gate right there.

14 Q. Then all the rest of these, we'll just----

15 A. There's the OP that we moved to.

16 Q. This is all really just for your enjoyment.

17 A. It's weird seeing it again.

18 Q. Yeah, I bet it is weird seeing it.

19 So this is Mest out here, just across the road.

20 A. That berm actually wasn't there when I was there.

21 Q. This is looking back to the west side. That is probably
22 the platoon sergeant's truck. This is that creek bed you had just
23 referred to where you crossed over here [viewing Exhibit 15].

1 That one is Exhibit 15, now we are on Exhibit 16. Again
2 you would have come this way, went up the hill.

3 Exhibit 17, there's the plastic thing that you stepped on.

4 A. That little trail wasn't there when I was there.

5 Q. That's Exhibit 17. Exhibit 18, and here's where you come
6 up and you cross over the water. This is knocking the wire down and
7 you can go right to the U.S. OP. You can go left to the Afghan OP,
8 and you went up somewhere, probably here?

9 A. That trail wasn't there when I was there. It looked more
10 like this, so that was something they did afterwards.

11 Q. Exhibit 19--there is really nothing to see on Exhibit 19,
12 20, 21, 22, 23, and this gives you an example of--that's the kind of
13 tent you were in?

14 A. Yes, that's the kind of tent.

15 Q. That's Exhibit 23. You can see the tent between the two
16 MRAPS and that is an example.

17 [Exhibits] 24, 25, this must be the shitter I guess, right?

18 A. Yes.

19 Q. That's Exhibit 25.

20 A. That's another shitter and then we burned trash over there.

21 Q. You can see the burn pit in Exhibit 26.

22 [Exhibit] 27, nothing. [Exhibit] 28, nothing. And that's
23 just another--looking down from the top.

1 This is your mortars I'm guessing, right?

2 A. Yeah, when I was there--from what I saw, they were set up
3 over here.

4 Q. That was Exhibit 30.

5 A. That's going to be per the commander in charge at the time.

6 Q. Nothing on Exhibit 31, 32, 33, and now we are on 34 and you
7 can see from the U.S. OP looking towards the Afghan OP.

8 A. Yup. Yup.

9 Q. You would have come down this way into this gully here,
10 right [viewing Exhibit 34]?

11 A. Yeah.

12 Q. That was Exhibit 34.

13 A. You can see right here, this would be the ANP guys and
14 because they are looking down the valley at the ground, which would
15 be----

16 Q. Go ahead and draw right on that one [pointing to Exhibit
17 34], where you--the route you took, approximately.

18 [The subject did as directed.]

19 A. I would have been--probably would have just come up in--
20 down that way. You can see that they were going to be looking down
21 that way. They're not going to see a silhouette; they're not going
22 to see anything. Especially in the low light area, so they are

1 completely blind and they rely on the Americans to see anything right
2 there. So you can see why that was the route that I took.

3 Q. That was Exhibit 34. Go ahead and draw on this one, too.
4 I am thinking it was something like that. This is exhibit; hold on a
5 second, 36.

6 Then around the backside, is this OP DUSTWUN, you were
7 there for--you did what, one rotation there, two rotations there and
8 later gave it to the ANP?

9 A. Yeah, we did a couple weeks there until the battalion
10 commander had a fit up there. You can see that it is completely out
11 of site from--this hill is in--which were the ANP first, is
12 completely blocking that. You have to come all the way back around
13 to get to the TCP.

14 Q. Was this one where Colonel Baker kicked the gravestone?

15 A. Convoy kicked him out about here.

16 Q. So that wasn't on OP 1, it was on the orig--the first TCP.

17 A. Yes.

18 Q. That was Exhibit 36.

19 Then Exhibit 38, nothing, and this was a blurry exhibit,
20 okay, good. All right, let's go have a seat and finish up.

21 CDC: Are you sure about that trail not being there?

22 A. Yeah.

1 CDC: Because the trail looked like, to me, I've never been to
2 Afghanistan. The trail could look that way----

3 I/O: It could have. Depending on those pictures, those pictures
4 may have been taken three weeks after he departed. After he departed
5 that placement of a population of about 25 turned into like 200.

6 CDC: Got it, so you get a real quick----

7 Q. Absolutely.

8 A. Absolutely.

9 Q. It's very, very, sandy--it's just dust you put a trail in
10 and it looks like it had been there for a very long time, then you
11 get the moon dust then it's like walking through talcum powder, 12
12 inches of it.

13 I want to ask you--I don't have the e-mail that you sent to
14 your dad that keeps getting used in Hasting's article and it keeps
15 getting taken out of context and I wonder if you wouldn't mind
16 sharing the original e-mail that you sent your dad with us.

17 CDC: Have you got it?

18 A. I don't have the original e-mail from my e-mail account,
19 because that was a Yahoo account and after a certain period of
20 inactivity it gets deleted. However, I know that the e-mail that is
21 on the Wikipedia site is my e-mail. I don't get service in here but
22 I can go out there----

1 Q. You don't need to do that, all I need to know is the one on
2 Wikipedia is, if you can authenticate that the one on Wikipedia is no
3 kidding, genuine communication, and it's complete.

4 A. As far as I can tell.

5 Q. That one is not taken out of context; the whole thing is in
6 there.

7 A. The whole thing is in there.

8 Q. That's good enough, so I don't need you to dig it up and I
9 can dig it up. I just need you to say, "Yeah, that's mine." It
10 appears to be complete. That helps a lot.

11 We talked about this a bit yesterday and I want to go back
12 and visit this. It has to do with your injuries. I would like for
13 you to describe for me, tell me, from after you left the wire, what
14 are your injuries? What are the extent of your injuries, your
15 current profile, what are the things that you have gotten treatment
16 for and are continuing to recover from?

17 A. I have--starting with my feet, I have neuropathy in my
18 feet. So I can't feel the bottoms of my feet except for like numb,
19 tingling, burning sensations.

20 CDC: Hold on, you had--is any of that related to the surgery
21 that you had?

22 A. No.

23 CDC: Okay, I just wanted to distinguish----

1 I/O: Absolutely, that's the point.

2 CDC: ----is it possible,--I will be a lawyer a little bit. Is
3 it possible that what you are describing, your radiculopathy or
4 neuropathy, is an aggravation of the condition you had because of
5 your wound and infection in your heel?

6 A. Proof that it isn't is the fact that it's in my right leg.

7 CDC: I'm going to assume that's phonetically [sic] right.

8 A. I had full feeling when I got to Afghanistan; I had full
9 feeling in the bottoms of my feet and my toes. It was in my heel
10 that I had that weird feeling of just tight cartilage or tight
11 muscle. It's completely different than----

12 CDC: Well, I'm sorry I interrupted.

13 I/O: Go ahead.

14 CDC: What other conditions?

15 A. Injuries that are with me right now, or that have lasted,
16 would be, one, the neuropathy, the muscle aches and pains from the
17 multiple accounts of muscle atrophy. Joints, from inactivity and
18 being left in a cross-legged position for so long as well as hips--
19 any contact--if you are laying on your side on a dirt floor for hours
20 and days and months at a time you get a burning sensation in your
21 bones because of--I don't know why, but you just get these--it's like
22 contact points. Because there's constant contact there, there is no
23 way to--and the diet, basically, vitamin deficiency from a bad diet.

1 That is left behind so in my joints I have, I call it burning bones.
2 Impact is, running is extremely difficult because the impact is--my
3 joints aren't used to that. Lower-back muscles, acute pain there,
4 it's not acute necessarily, there is just times where it will cramp
5 up really bad, and that's from spending so much time sitting in that
6 position on the floor, same with the muscles in my neck. A tear in
7 my rotator cuff and from I believe--dislocated--for one it was
8 dislocating because the way they would transport me was in the back
9 of a truck, throw blankets on top of me and the roads in Afghanistan
10 are far from being roads. Their vehicles are far from having shocks.
11 Hip problems. So the rotator tear I believe came from, in the end of
12 the first year, I escaped for eight days. The first night I fell off
13 a cliff, landing on my left side, which after that point I was unable
14 to close my hand or bend my elbow. Putting weight--I couldn't--
15 putting weight on my left hip was excruciatingly painful but after
16 the first night I had to continue that for the next seven, eight,
17 days of crawling up and down the mountains of Afghanistan. There was
18 constant--it was just adding to it. The times that I would pass out
19 I would land on my tailbone so that--I have pain there.

20 CDC: This is during your escape attempt?

21 A. The fall was during my escape attempt and a lot of the
22 times that I passed out was during the escape attempt. There was

1 also--following that, times that I passed out. In the first year
2 there were also times that I passed out, just falling in the room.

3 Right now I have a vitamin deficiency. I have eye problems
4 because I am used to extremely bad light and everything that I was
5 dealing with was within this distance, especially in the darkness.
6 After the first year they put me in--when I was in--they put me in a
7 cage. That screen in front of my face blocks, the ribs [bars]_—or whatever |
8 you want to call them, blocks the vision from clearly seeing what's
9 past that. Right now I can see your face clearly, but if someone was
10 standing out in the hallway it would be blurry, bright light because
11 my eyes--I've spent the last five years in either no--low light, no
12 light, and there were times that the light would never go off, but
13 that was fairly limited because Afghanistan doesn't have a power
14 supply that lasts. My eyes are messed up, my hearing--everyone tells
15 me my hearing is fine, but I hear this screaming noise.

16 CDC: Tinnitus.

17 A. Just overall--basically, I mean, physical therapy is
18 basically dealing with the fact that my body has adapted to living in
19 a six by eight space. Just completely inactive, with the body
20 problems, no chairs or anything, you just sit on the floor so that
21 puts me in a bad position. All that added up, so now I am dealing
22 with the after effects of that: burning bones, aching joints, muscle
23 pain from muscles that have to rebuild, my shoulders are extremely

1 loose and they pop out very easily, so we are dealing with that. The
2 worst is--doctors say everything can be recovered except for the
3 neuropathy. I can't feel my feet.

4 CDC: Both feet.

5 A. Both feet. Both feet, and there was a little neuropathy in
6 my hands but it wasn't that severe so that's why they kind of think
7 that it wasn't just the position I was sitting in for some extended [period
8 of time]--it was everything combined, but they kind of mark it down. So
9 also vitamin deficiency from bad diet that added to the neuropathy because
10 it was also my hands or something along those lines. That's where
11 I'm at right now.

12 Q. Your thumb is better? You mentioned yesterday that you had
13 a problem with your thumb.

14 A. Yeah.

15 Q. That's recovered?

16 A. Yes, that's recovered.

17 Q. I don't have any more questions.

18 CDC: Have we answered every one of your questions?

19 Q: I had one other question. It's really--so we--it's been
20 very, very productive, very helpful, the last couple of days. I'm
21 separating fact from fiction, I have to determine what the
22 recommendations are going to be, what the findings are going to be.

23 What do you think? Now what? What do you think is fair?

1 CDC: I think we ought to--that's a round house question and we
2 ought to consult before answering that question.

3 Is that fair? Can you excuse us?

4 I/O: Yeah, absolutely.

5 CDC: No, we will go out because you have people listening in
6 this room, so we will go outside.

7 [The civilian defense counsel and the subject departed.]

8 [The civilian defense counsel and the subject returned.]

9 CDC: So your question was?

10 Q. My question was having shared all of this with us, what do
11 you think is fair?

12 A. First of all, I acknowledge that I am in the military
13 service and you are the higher ranking commander. Your discernment
14 is your discernment and I'm not going to have a problem with that.
15 What you choose to do is for a reason that you choose for the better
16 of the situation. You are looking at the bigger picture. On my
17 personal part, after the last five years that I have been through,
18 it would be, I don't think, too--I don't want to go with brash, too
19 exaggerated to say that, [the last five years] that was a little more than
20 any prison system in America could put forth, if we are talking punishment
21 for action. I read on the internet somebody saying, "Well, if charges of
22 desertion were pressed than he would spend five years in prison." If
23 you put it in that sense, realistically speaking, what I dealt with

1 isn't in the American prison system because we go to great extent of
2 giving prisoners the luxuries of being human.

3 From my personal perspective, given the opportunity to move
4 on with my life, which has been what has kept me going. The ability
5 to get back to this life and being the perfectionist that I am, make
6 up for all of the things I had to look at as regrets.

7 Do I need anything to move on with my life? Yes, obviously
8 I need something as a human being. I can pull myself up like I did
9 before. I started at the bottom before; I can start at the bottom.
10 It would be extremely--it would be a great relief and it would help a
11 lot if I had the GI Bill to get an education, if I had my VA benefits
12 considering my body and the state that it is in. It would be a great
13 relief to have those health benefits. The money that I have incurred
14 that people keep mentioning. Money has never made a big difference
15 to me. However, to make up for the last five years I would like to
16 start businesses. I would like to do something--do what I started out
17 to do and that make a difference that I can see and perceive in this
18 world that I have done something. Like one of the things I was
19 talking about with the SERE guys is I would like to start--every time
20 it came to escaping, every time it came to everyday life, I regretted
21 the fact that I didn't have the SERE training, that I didn't have
22 some kind of training. I understand knowing as many people as I do
23 and having to listen to a lot of stories that I have from my female

1 friends, people lack, not just survival skills in extreme situations,
2 people lack survival skills in everyday domestic situations,
3 especially females. Would I want to start a survival-self defense
4 school? Yes, I would like to start a survival-self defense school.
5 That could be conveyed at--that could pass on needed skills so that I
6 could help people out there the way that I didn't have that help when
7 that situation came. Would I like to do that? Yes, I would like to
8 do that. Unfortunately, if every dream could simply be materialized,
9 this would be a much happier world. It doesn't--it takes hard work
10 and it takes finance.

11 So if I could have the starting point to kick all that off,
12 to have the education to kick all that off, and have my health not
13 being neglected, not declining any further, that would help me a lot
14 to move on and get into the next part of my life.

15 So your decision is going to be your decision. This is
16 just coming from my side. I'm going to be, as a Soldier, I am going
17 to understand that as the commander, as the general, you have_ the big
18 picture. You have to look at everything, details to the bigger
19 picture, and your decisions are going to be made off of your
20 understanding of the situation and your experience in all the years
21 that you have been there. You are going to make your decision and I
22 am going to respect that.

1 I/O: It's not really my decision. I'm the investigating officer
2 in a 15-6 and it's informal. A lot of people don't understand this.
3 It is an informal fact-finding. I will present findings and I will
4 address the offenses that we have talked about, you know, desertion,
5 AWOL, fraudulent enlistment. I will present findings, which is--what
6 I believe to be the case based upon 60 days of work and a lot of help
7 and a great benefit with the last day-and-a-half with you and
8 cooperation of your counsel, by the way.

9 I will provide recommendations. All of that goes to
10 Lieutenant General Grisoli who is the Director of the Army Staff in
11 the Pentagon. He is acting really on behalf of the Chief of Staff of
12 the Army and the Secretary of the Army. I would expect that the
13 Secretary of the Army will be the decision maker. He and the Chief
14 of Staff of the Army will be the decision makers to determine, "Here
15 is what we are going to do with General Dahl's findings and
16 recommendations." They will--they are really the decision makers as
17 to what they do with my findings and recommendations. Should they
18 decide to do something or recommend something or some follow-up, it's
19 really your current chain of command that ends up carrying the ball
20 there. There is a complete separation between what I am doing and
21 that decision by the secretary and your subsequent chain-of-command.
22 So that's why I have not had any communication from any of them from
23 the very beginning.

1 Let me share with you that in the 60 days, clearly you
2 scribbled outside the lines. It's just a matter of understanding
3 that and developing the finding on that. However, I have come to
4 understand, as I have shared with you earlier, prior to your
5 fantastic plan you were one of the best Soldiers, arguably the best
6 Soldier in your platoon. Your service up until that point was
7 exemplary, is probably an adequate way to describe it, that's worth
8 noting. Again, I don't have all the details but I have been led to
9 believe and understand that your conduct during captivity is also
10 very positive. I don't know if I can say exemplary because I don't
11 know the details enough, but from what I have heard from the folks
12 that debriefed you, it would be hard for anybody to take exception to
13 that. I can't speak with authority on that but that is my
14 impression. I think that is also a positive. I also think, from
15 what I understand, you're, as I mentioned to you yesterday, for all
16 of your suffering over the last five years, there has been a great
17 deal of value extracted from that with the SERE de-briefers, with the
18 intel de-briefers, with the criminal investigators, and with the
19 medical community and your own reintegration which continues. I
20 suspect that, that is not over yet. I suspect that they will
21 continue. They are on a pause now so we can do this piece. When I
22 am done I suspect they will want to follow-up with you if you want to
23 do that, also very positive. You've been incredibly cooperative with

1 me during my investigation as well. All of those are positives which
2 I will make a great deal of effort to include in my report and in my
3 findings and my recommendations. I think all of that deserves to be
4 considered by those who will make the decision.

5 I'm going--it's got to be fair and balanced, you make
6 decisions, there are consequences to the decisions, but you know
7 there is also aggravation and there is also extenuation and
8 mitigation and all of that needs to be considered comprehensively.
9 The only thing I can commit to you is, we have given it our very best
10 effort in the time we have been given to do this. I am very
11 satisfied that we have done a thorough, good job. The whole process
12 has a great deal of integrity to it and that you--all of this will be
13 fairly represented as I pass it up the chain-of-command with my
14 findings and recommendations. I wanted your input and that is why I
15 asked the question, and I appreciate you taking the time to consult
16 and answer. Thanks. Yes, you have answered every question that I
17 have asked and that is fully cooperative and I will be on record
18 saying that as well.

19 I'm done with this. When you were on the phone I mentioned
20 to Sergeant Bergdahl outside what I would like to do is step outside
21 the investigation, turn all that off, and just share with him some
22 things I think he might be interested in, just in terms of friends,
23 family, platoon-mates, folks that I've talked to. Just to give him

1 the benefit of updates on folks like Monica and James Cameron, and
2 your Mom and Dad, Kim and Kayla and, if you're okay with that.

3 SBJ: Yes, I am.

4 I/O: Sergeant Ramsey, you want to come in and turn all this
5 stuff off?

6 [Staff Sergeant Ramsey did as directed and the interview completed on

7 7 August 2014.]

8 BRB

[END OF PAGE]

ATTESTATION

In the matter of the Army Regulation 15-6 Investigation for Sergeant Bowe Bergdahl, I hereby certify that the foregoing is a true and accurate transcript produced from the audio recorded hearing conducted on 6 and 7 August 2014. Throughout the transcript are brackets to identify either transcriptionist notes or notes added in by Sergeant Bergdahl himself to clarify his statements.

| Dated: 8 September 2014

RAMSEY.BRITTANY.AN
NE.1297370940

Digitally signed by RAMSEY.BRITTANY.ANNE.1297370940
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA,
cn=RAMSEY.BRITTANY.ANNE.1297370940
Date: 2014.09.08 12:02:14 -0700

BRITTANY A. RAMSEY
SSG, U.S. Army
Court Reporter

Affidavit

BRBI, Bowe R. Bergdahl, have read this statement which begins on page 1 and ends on page 369. I fully understand the contents of the entire statement made by me. The statement is true. I have made this statement freely without the hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement. BRB

BERGDAHL.BOWE.R
OBERT.1287804659

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BERGDAHL.BOWE.ROBERT.1287804659
DN: c=US, o=U.S. Government, ou=DoD,
ou=PKI, ou=USA,
cn=BERGDAHL.BOWE.ROBERT.1287804659
Date: 2014.09.09 17:36:06 -05'00'

*(Signature of Person Making
Statement)*

Subscribed and affirmed before
me, a person authorized by law
to administer oaths, this
9 day of September, 2014, at
1735CST, JBSA.

RUSSELLTUTTY.THOMAS.MASON.1102
478785

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DN: cn=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA,
ou=RUSSELLTUTTY.THOMAS.MASON.11024785
Date: 2014.09.09 16:11:19 -05'00'

*(Signature of Person Administering
Oath)*

LTC Thomas M. Russell-Tutty

*(Name of Person Administering
Oath)*

UCMJ Article 136 b(4)

(Authority to Administer Oaths)