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THIRD ENDORSEMENT on [redacted] S. Navy, ltr of 27 Nov 00

From: Chief of Naval Operations

Subj: INVESTIGATION TO INQUIRE INTO THE ACTIONS OF USS COLE (DDG 67) IN PREPARING FOR AND UNDERTAKING A BRIEF STOP FOR FUEL AT BANDAR AT TAWAHI (ADEN HARBOR) ADEN, YEMEN ON OR ABOUT 12 OCTOBER 2000

1. The terrorist attack on the USS COLE highlights the constant dangers confronting our armed forces. Being readily identifiable symbols of the United States, our armed forces are attractive terrorist targets. As the Director for Central Intelligence has said, the question is not whether terrorists will attack our armed forces in the future, but when and where they will attack. Recognizing that we cannot eliminate the risk of terrorist attacks against our dedicated service members, every leader, at every level, must take action to minimize that danger. In performing our peacetime mission, the Navy must always keep the security of our units and people as our foremost consideration. We must, and we will, elevate our emphasis on force protection to confront the increased risks that have become evident in the COLE investigation.

2. After carefully considering the investigation and endorsements, I concur with the conclusion of Commander in Chief, U.S. Atlantic Fleet (CINCLANTFLT) to take no punitive action against the Commanding Officer or any of his crew for this tragedy. I conclude, along with the previous endorsers, that the tools and information at the Commanding Officer's disposal on 12 October 2000, coupled with the lack of any indication of hostile intent before the attack, severely disadvantaged the Commanding Officer and crew of COLE in trying to prevent this tragedy. Likewise, I concur that the investigation clearly demonstrates that COLE was a well-trained, well-led, and highly capable ship.

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3. CINCLANTFLT has presented a thorough, well-analyzed accountability assessment. I believe, however, that four issues merit further comment.

a. The investigation indicates the ship was focused almost exclusively on a shore-based threat, in particular preventing unauthorized access to the ship. My reading of the actual threat warnings helps me understand this mindset of the Commanding Officer and his Force Protection Team. Most importantly, their sensitivity was reduced by various factors. The specifics of the NCIS threat assessment make it clear to me that Yemen's HIGH Threat Level is driven by threats ashore and the warnings associated with travel in that country. Added to the absence of any specific waterborne threat indicators was the message the ship received on 11 October 2000, announcing a new terrorism threat level system that changed the threat level for Yemen from "high" to "significant," which by definition indicated that known terrorist groups in Yemen had limited operational activity. I conclude that the COLE team's consideration of these inputs lessened their perception of the threat. Considering such circumstances, I agree with the Second Endorsement that the security posture the ship employed was not unreasonable.

b. I find the assessment of both Commander, U.S. Naval Forces Central Command (COMUSNAVCENT) and CINCLANTFLT, that implementation of all THREATCON BRAVO force protection measures would not have stopped this attack, to be compelling. Although certain of the THREATCON BRAVO measures addressed identification and control of craft in the vicinity of the ship, these measures, even if fully implemented, would not have thwarted a well-planned, determined attack of this nature. The investigation concludes that no THREATCON BRAVO measure would have, with any degree of confidence, either identified the threat posed by the suicide boat or blocked it from approaching the ship. I find nothing in the warnings that would have induced a commanding officer to deploy boats and establish a security perimeter around the ship, the only measure that, in my judgment, would have protected the ship from a suicide attacker. I conclude that THREATCON BRAVO measures were inadequate for the

12 October scenario. I further conclude that THREATCON BRAVO was not an inappropriate posture given the existing threat assessment.

c. My conclusion in paragraph 3b above, that full implementation of THREATCON BRAVO measures would not have thwarted the attack, is central to my determination that disciplinary action is not warranted for any member of the COLE team. Having said that, I am not completely satisfied with the Commanding Officer's performance. Navy commanders, operating in the far reaches of the earth, must be ready to make independent decisions. It is the essence of our profession. The Commanding Officer understood and demonstrated his responsibility in that regard by setting aside various inapplicable force protection measures. While I applaud his readiness to lead, my impression from reading the enclosures is that the Commanding Officer did not have all the information he would have liked prior to entering Aden. It is not clear if that realization was as strongly felt before the attack as it was after the attack. Nonetheless, my concern rests in questions that the Commanding Officer had prior to entering port, and his failure to take action to resolve them. Prior to COLE's arrival in Yemen, for example, the Commanding Officer did not know whether the ship would tie up to a pier or refueling dolphin, whether he was allowed to utilize small boats, and what, if any, security assistance was provided by Yemeni authorities - all important issues in formulating a force protection plan. I am troubled that he took no steps to resolve these uncertainties prior to pulling into port. Furthermore, other senior commanders had responsibilities for approving his force protection plan, and they deserved to know that significant force protection-related questions arose and, time permitting, to participate in deciding to set aside or modify measures. In this case, the Commanding Officer should have been more proactive in clarifying his uncertainties. I balance these concerns with the requirement for commanding officers to make on-the-spot judgments and take appropriate action, often in the face of difficult and sometimes dangerous situations. In my view, the Commanding Officer's actions do not rise to the level requiring punitive action.

d. The scope of this investigation was limited to examining the actions taken by the ship's Commanding Officer and his crew in preparing for and undertaking the brief stop for fuel in Aden. It does not, and was never intended to, address the conduct of others in the ship's chain of command. Since separate actions will be taken to assess the accountability of others in the chain of command, I am refraining from making any judgments concerning the conduct of such personnel.

4. This attack revealed weaknesses in our force protection program, including inconsistent force protection schemes as well as inadequate guidance on interpreting and executing existing force protection measures. In an apparent effort to allow the measures to be broad enough to be applicable in all situations, the measures give insufficient guidance to commanding officers. For example, implementation of all THREATCON ALPHA and BRAVO force protection measures require that unauthorized craft be kept away from the ship, while at the same time they provide that picket boats will be on 15-minute standby. Absent host nation support, a ship in COLE's situation is limited to issuing verbal orders, in a foreign language, with no reasonable means available of enforcing them. Likewise, these measures require that workboats be inspected, but again, without picket boats in the water, a ship must wait until the workboats are alongside to inspect them. While it is essential to give commanding officers needed flexibility to adequately protect their ships, it is equally important to give them enough guidance so that they may understand and meet the intent of the measures. The scope of the measures for each THREATCON must also be reassessed to determine their sufficiency for addressing waterborne and other threats. Additionally, I concur with COMUSNAVCENT's recommendation to provide ships more assistance in formulating force protection plans for particular ports. In fact, this investigation points out the challenges a ship has attempting to craft an effective force protection plan when none of the crew has been in that port. Navy Component Commanders, operating under the authority of the Unified Commanders, need to take force protection to the next level by providing transiting units a baseline force protection plan to implement, including the measures as well as specific execution tactics, which in many

instances may be more important than the measures themselves. Finally, I do not agree with the implication in the Second Endorsement that face-to-face briefings upon inchopping into a new theater are mandatory events. I concur that such briefings will be beneficial, but the nature and mobility of naval forces does not always make face-to-face briefings possible. Commanders are responsible for the effective exchange of information, but face-to-face briefings do not represent the minimum essential requirement.

5. The weaknesses revealed in our force protection program should be contrasted with the results of the damage control inquiry, which showed the effectiveness of a program that receives significant attention in every facet of the Navy, from ship design to continuing training given to each and every Sailor. The investigation points to brilliant and determined leadership and demonstrated that when significant damage occurred to the ship, the COLE crew immediately and aggressively fought for their ship and the lives of their shipmates, relying on their countless hours of prior training. Their heroic actions, both individually and as a team, saved the lives of many shipmates and saved the ship. It is imperative that force protection receives similar attention from each and every Navy member. In this regard, the Secretary of the Navy has established a Force Protection Task Force. A copy of this investigation will be provided to the Task Force so that they may address the inadequacies noted in our force protection program and examine implementation of the recommendations in the investigation having Navy-wide applicability.

6. I am proud of the extraordinary individual valor and selfless devotion exhibited by COLE crewmembers in the aftermath of the attack. This tragedy demonstrated the courageous character and resourcefulness of our servicemembers, many of whom risked their lives to save their shipmates and their ship. Their heroic lifesaving and damage control efforts upheld the highest Navy traditions. The scrutiny faced by COLE during this investigation in no way diminishes their outstanding contribution to the defense of our country. As I conclude this endorsement, I am extraordinarily thankful that we have

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dedicated men and women, like those on COLE, serving in the Navy. As I stated immediately following the attack, ours is a large Navy, but we are still one Navy family. We stand with COLE in praying for a speedy recovery for those injured and mourning the loss of the 17 shipmates who have made the ultimate sacrifice for our country. Their sacrifice will not be forgotten.

7. Subject to the foregoing, the proceedings, findings of fact, opinions, and recommendations of the investigating officer, as acted upon by the prior endorsers, are approved. Commanders in Chief, U.S. Naval Forces, Europe, and U.S. Pacific Fleet are directed to examine this investigation and submit any recommendations they may have for enhancing our force protection program.

V. E. CLARK

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