

Chairman Mast, ranking member Crow, and committee members; thank you for this opportunity to testify before you today. My name is Colonel Justin Sapp and my testimony is based on my experience as a Special Forces officer with nearly 30 years of active-duty service and multiple combat tours in Afghanistan and Iraq as well as in intelligence, policy and training positions at the Pentagon and elsewhere. In my final posting, I was the military representative for the Chairman of the Joint Chiefs at the United Nations in New York. I have been part of our great nation's defense at all levels, from the ground to the hallways of power. Now, I represent Badger Six, a non-profit organization determined to help our very first Afghan allies. I am addressing you in my private capacity and my views do not represent those of the Department of Defense. I consider this my last mission—I retire from the Army at the end of next month—and perhaps my most profound one.

It has been the honor of my life to serve my country. I believe that after 9/11, I was the first American soldier behind enemy lines in Afghanistan. I was a captain in the 5th Special Forces Group when I was detailed to the CIA and infiltrated into northern Afghanistan on a Black Hawk with "Team Alpha" in October 2001. Among my seven brothers in arms on that mission was Mike Spann, a CIA paramilitary and former Marine Corps officer whom I was proud to call my friend. Mike was the first casualty on the battlefield in the Global War on Terror. He is buried not far from here, across the Potomac in Arlington National Cemetery. Badger Six was the callsign of the three-man sub-team led by Mike that I was a part of in 2001. The third member was Mark Rausenberger, who died in the Philippines in 2016. Both he and Mike are among the great Americans represented by stars on the CIA's Memorial Wall at Langley.

Badger Six was the callsign of the three-man unit led by Mike that I was a part of in the earliest days of the war. This remarkable story was depicted in the 2018 Hollywood movie "12 Strong" and is the subject of Toby Harnden's 2021 book "First Casualty." In the end, forty-three Americans and a few thousand Northern Alliance allies defeated a force of Taliban and Al Qaeda in battles that featured daring cavalry charges enabled by our Special Forces and U.S. air power. This campaign liberated the strategically important city of Mazar-i-Sharif and set the conditions for the Northern Alliance's victory in Kabul.

In 2001, Mike and the rest of Team Alpha were not my only brothers in arms. There were my fellow Green Berets and other servicemembers, of course, but there were also brave Afghan warriors, members of the Northern Alliance, who risked everything to step forward and fight with us on horseback during America's hour of need. They risked their lives and shed blood, just as Mike did. Together, we defeated the Taliban and Al Qaeda forces in northern Afghanistan and liberated the strategically important city of Mazar-e-Sharif. They were heroes and they had our backs—if it were not for them, I might be not be here today. It is these Afghan allies and their families that I wish to speak about today.

I am here to ask you to do all that is in your power to help these allies. It is the moral thing to do and it is strategically correct to—how can we ask others to help us in future conflicts if we do not honor our word and help our Afghan allies.

These allies and their families are being persecuted today by the Taliban for their enduring support of the United States, for their loyalty to this country. This is not some abstraction. These are people that I knew back in 2001 and have met during the intervening years. We in Badger Six know each of the people we trying to help. There are about 33 families, perhaps 300 people in total. This is a limited, finite group of people, every one of whom is vetted by us in Badger Six—military and intelligence professionals with decades of experience.

The commanders, widows, and family members whom we are sponsoring for P1 visas have been under threat for going on three years. They have suffered great physical and mental hardship. Some remain on the run, in Afghanistan. Others are in neighboring countries in very difficult circumstances and are under threat of deportation back to Afghanistan, where they would be subject to torture and murder.

Today I will highlight ongoing threats faced by two of the families of Afghans who fought with me in 2001. Equally difficult stories are detailed more fully in my written testimony. Sadly, our Afghan partners have been under threat since our withdrawal from the country. Each and every one of them have lost their homes and have suffered beatings. Some are still on the run in Afghanistan. Others are destitute in neighboring countries and live under threat of deportation back to Afghanistan. The following examples are real-life accounts of how the Taliban are persecuting our allies. To protect these individuals, I have changed their names in this testimony.

First, I would like to introduce you to the family of Rozi Khan, who was 36 years old when he was killed by al-Qaida fighters in the initial moments of the prisoner uprising in Qala-i Jangi on November 25, 2001. Rozi Khan oversaw the processing of prisoners as they were prepared to be interviewed by CIA officers Mike Spann and David Tyson. Mike was killed seconds after Rozi Khan, very possibly by the same men.

In November 2021 – twenty years after Rozi Khan's death –local Taliban commanders learned where his widow and now adult children were living. The Taliban bulldozed the family home into rubble and arrested his eldest son, torturing and beating him for three days. That son suffered permanent damage to his kidneys and has continuing physical and mental health issues. Rozi Khan's widow and daughter were also threatened with violence and told they would be forcibly married to Taliban, meaning a life of isolation, rape, and abuse. Badger Six facilitated the family's escape to Pakistan where they have suffered extortion by corrupt officials and continue to receive harassing messages from the Taliban authorities back home. Despite being in the country legally with proper visas, local authorities regularly threaten them with deportation.

The second Afghan ally I would like to highlight is Engineer Mohammed. He is a member of the Hazara ethnic minority, a group that has been the focus of ethno-sectarian persecution for hundreds of years. In 1998, the Taliban killed thousands of Hazara when large swathes of northern Afghanistan fell under their control. These atrocities are driven by profound racial prejudice and the fact that most Hazara are followers of Shia Islam, a religious deemed heretical by the Taliban.

Engineer Mohammed was part of the original Badger Six mission with Mike and me. He was our guide and interpreter and, like many other Americans in the next two decades who had Afghan interpreters, we literally put our lives in his hands. Mohammed helped us survey helicopter landing zones paving the way for the arrival of more CIA and Special Forces teams crucial to defeating the Taliban. He was indispensable to our team during a tenuous and crucial stage of war. In the two decades following 2001, he remained a loyal partner of the United States.

From October 2021 to about February 2022, the Taliban launched punitive raids into the valley where Mohammed and his family lived. To evade capture, Mohammed was forced to leave his family and go into hiding. His village was subsequently pillaged, and many Hazara homes were razed because of the villagers' ethnicity and because they had supported the U.S. during the

war. The Taliban issued an arrest warrant for Mohammed and detained his family members. While detained, his family members were interrogated and beaten by Taliban security officials. The Taliban told his family members that because Mohammed was famous locally for having cooperated with the U.S. in 2001, he had been judged and would be executed. The Taliban also threatened his wife and children with physical and sexual violence. The Taliban have raided his house ten times since 2021, stealing property and breaking doors and windows during winter. The Taliban periodically detain and beat his eldest sons, brothers, and other relatives, demanding information on his whereabouts. The Taliban have barred his family members from working and preventing them being educated. As a final insult, local Taliban threatened his daughters with being married off as second and third wives to local Taliban officials. The family has also been pressured into renouncing Shia Islam and becoming Sunni, the sect of the Taliban. Mohammed has been living as a fugitive for the past two years and has been unable to help his family.

Congress can help these families and others like them by insisting on transparency in the clearance process and efficiency in the handling of immigration cases.

We in Badger Six are doing everything we can. We have the contacts, the expertise and the commitment to work this problem. Through private donors, we have raised funds to help these Afghan allies. No one is asking for a handout.

But we do need you to intervene to cut through the bureaucracy that is blocking our work.

There are sacred responsibilities that are part of an American soldier's creed. One of them is that we leave no one behind. I lived that in November 2001 when my friend Mike Spann, a former Marine officer turned CIA paramilitary, was killed. It took us three days to recover his body—again, we were helped by our Afghan allies and it was an Afghan commander who located Mike.

Another responsibility is that we are true to our allies, that we help those who helped us. We don't abandon them when they no longer suit our needs or when it is difficult or politically inconvenient.

That is why the tragic withdrawal from Afghanistan in the summer of 2021 was so hard for me. Our country let down some of those men I had fought with in 2001. We just left.

But the greatness of the United States rests in its people, not its government. And when, for whatever reason, our government leaves a vacuum, there are always people who will fill it.

That's why we formed Badger Six. Our work honors Mike Spann and the many other Americans who made the ultimate sacrifice in Afghanistan. It honors the Afghan allies who also paid the ultimate price. Our leading light in Badger Six is Shannon Spann DeBruyn, Mike's widow. All these years later, she's doing the right thing, just as Mike did. As Shannon herself has put it: "Mike wasn't able to continue living his life, so we who are left are living our lives in his way through Badger Six."

The Afghans we are sponsoring are the allies who were there from the beginning. They did everything that the U.S. government expected of them in terms of trying to facilitate a democratic Afghanistan that was a peaceful country and didn't harbor terrorists. We haven't had an attack on our homeland since 9/11, and they played a key role in ensuring that.

If we do not help them, they face the prospect of being murdered by the same enemy they helped us defeat in 2001.

Mr. Chairman, Mr. Ranking Member, committee members, I thank you again for allowing me to speak today. I look forward to your questions.