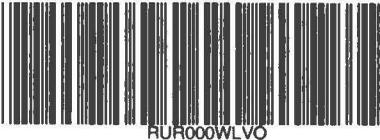


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 NAVAL CRIMINAL INVESTIGATIVE SERVICES  
 RECORDS MANAGEMENT DIVISION  
 LAW ENFORCEMENT RECORDS

Package ID #: 0013468-000034		
<b>Name:</b> MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP <b>AKA:</b>		
<b>Social Security Number:</b>		<b>Context:</b> Impersonal Title
<b>Date of Birth:</b>	<b>State of Birth:</b>	<b>Country of Birth:</b> US - United States of America
<b>Case Number:</b> 15APR98002300367HMS		<b>Dossier:</b> 1307588
<b>DCII INDEX CODE:</b> K = 50 years	<b>RECORD SERIES #:</b> 5580/4a(1)(b)	<b>Date Closed:</b> 12/01/1999
<b>RECORD SERIES (FILE PLAN)</b> <small>ty Svcs - Law Enforcement - NCIS Criminal Investigative - Controlled Death, Sex Investigations, &amp; Case Files (Created on or after 1 January 1988)</small> <b>Criminal Investigative Reports</b>		
<b>Comments:</b> VOL NCIS (b)(6), (b)(7)(C)		
<input type="checkbox"/> No <b>Polygraph Examination Conducted</b>	<input type="checkbox"/> No <b>Sexual Offender Registry Completed</b>	
<input type="checkbox"/> No <b>Finger Prints Submitted to Code 24B3</b>	<input type="checkbox"/> No <b>Final Disposition Report to FBI</b>	
CIS - _____ / _____ <input type="checkbox"/> Closed Status <input type="checkbox"/> Dup Title <input type="checkbox"/> Dup CCN		
<small>Disclosure/Accountability Statement: If this investigation is disseminated outside NCIS, complete NCIS Form 009/10-80, and ensure it is retained in the case file.</small>		
 <small>RUR000WLVO</small>	1 0 / 4 3 9 3 2	
I _____ certify that this document has been reviewed and is complete. _____ Typed Name of SSA		
_____	_____	_____
<b>DATE</b>	<b>SIGNATURE</b>	

Unclassified when separated from attachment unless otherwise indicated.

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# CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **15APR98002300367HMS**  
(Case Control Number (CCN))

on **MARFORLANT NORFOLK,**  
(Subject Name/Title)

ENCLOSURE (1) contains the following additional material on

8mm VIDEO TAPE

(Subject of the additional material)

that has been retained in its original format and stored separately as specified below:

## TYPE

## LOCATION NUMBER

(To be completed by Code 11C13)

**Grand Jury**

\_\_\_\_\_

**X - Rays**

\_\_\_\_\_

**Video Tapes**

\_\_\_\_\_ **WNRC** \_\_\_\_\_

**Audio Tapes**

\_\_\_\_\_

**Photographs** (images of photographs  
are contained in the electronic dossier,  
actual photographs(s) from hard copy  
dossier is/are filed separately.)

\_\_\_\_\_

**Polygraph Material**

\_\_\_\_\_

**Source Envelope**

\_\_\_\_\_

**Other**

\_\_\_\_\_ (Description)

\_\_\_\_\_





U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20 NOV 2003

MEMORANDUM FOR THE FILE

From: NCISHQ, Code 23B1

Subj: NCIS Case File/S [REDACTED] CAPT USMC  
CCN: 15APR98-0023-0036-7HMS/C

Ref: (A) NCIS 1998 Dossier [REDACTED]

1. At the request of Code 23B, Code 27D ordered reference (A) from the Federal Records Center, Suitland, MD. Code 27D held an OPEN chit for the dossier on their shelves and Code 23B requested it be removed from the shelf. Dossier [REDACTED] was sent to Code 27D for storage on 16Dec99. Also, the NCIS DCII entries for this investigation all reflected OPEN. Code 23B updated the NCIS DCII entries to reflect the retention code of K vice O (open). Code 23B received ten (10) boxes of documents for the [REDACTED] case from the field. On November 20, 2003 the contents of the boxes were compared against the documents maintained in dossier [REDACTED]

2. The following items are missing from [REDACTED] file:

22NOV99 ISR - Exhibit 12: missing 7 out of the 18 photos (in File IV)

22NOV99 ISR - Exhibit 13: Enclosure 23 - Brochure of Meltina, and Enclosure 32 - Map Survey Route (in File IV)

11AUG99 ISR - Exhibit 70: Enclosure 5 - Navigational Map (in File III)

11AUG 99 ISR - Exhibit 86: Enclosure 2 - Diskette (in File III)

11AUG 99 ISR - Exhibit 227: Enclosure 23 - Brochure of Meltina, and Enclosure 32 - Map Survey Route (in File II)

11AUG 99 ISR - Exhibit 217: Enclosure 2 - Ltr/Custody of EA-6B Q-2 Mishap Aircraft, Aviano, Italy/Major [REDACTED] 23JUL98 (in File II)

11AUG 99 ISR - Exhibit 196: Enclosure 2 - Working Copy of Downloaded Flight Data Recorder/03JUN98 (in Classified Control System at CALE) (in File II)

20JAN99 ALS - Exhibit 1: Denver Post Article/16Jul98 (in File 1)

21APR98 ALS - Exhibit 2: NCISRA New Orleans Completed Case File/Various...(Orig. CALE) (in File I)

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CLASSIFICATION:  
**NAVAL CRIMINAL INVESTIGATIVE SERVICE**  
**RETENTION CONTROL SHEET**

NCIS (b)(6), (b)(7)(C)

SUB:

DOSSIER #:

NCIS (b)(6), (b)(7)(C)

CCN:

15APR98-0023-0036-7HMS/C

X-REF (Name/ROI Para.NO):

Date file closed:

01DEC99

Date Acquired/Reviewed:

Reviewer's Code:

23B

Reviewer Signature:

NCIS (b)(6), (b)(7)(C)

RETENTION CODE:

K

K=50

CCS (DATE/Init):

DEC 06 1999 53

A=1 B=3 C=5 F=15 G=25 L=PERM. M=75

Closed Status  DUP Titles  DOSS  ASSOC CCN  DISP ~~(-) DATA~~

REVIEW FOR PROHIBITED INFORMATION: No information that is prohibited from collection and retention by SECNAVINST 3820 Series is contained in this investigative file.

DATE AND INITIALS	REVIEWER'S ENTRIES

CONTINUED ON REVERSE

**DOD DISSEMINATION:**

DOD-IG	NAVY-IG	NSGHQ	DCIS		
NAVSUPSYSCOM-IG	NAVY JAG	PERS-81	CNO-N29	ONI	CMC-POS
NAVSEASYSYSCOM-IG	NAVCOMPT	PERS-82	NAFCWASH	AFIP	CMC-JAM
NAVAIRSYSCOM-IG	NAVSPAWAR-IG	PERS-83	NCIS-21	DEF LOGISTICS AGY	CMC-INTC
NAVFACENGCOM-IG	NAVMEDCOM-IG	PERS-655	DONCAF	MIL POSTAL SVCS AGY	NAVRESSO

**DISCLOSURE ACCOUNTING RECORD:** This sheet is to remain affixed as a permanent part of the record. An appropriate entry must be made each time the record or any information from the record is viewed by, or furnished to, any person or agency, except: (1) Disclosure to DOD personnel having need to know in the performance of their official duties and (2) Disclosure of items listed in subparagraph 14.b(2) of SECNAVINST5211.5 Series. Disclosure record must contain the date of disclosure, name and address of the person and agency to whom the disclosure is made, purpose of disclosure, name of subject of disclosure, and description of material disclosed.

DATE DISCLOSED	DISCLOSED TO (NAME & AGENCY ADDRESS)	PURPOSE	SUBJ/DESCRIPTION OF MATERIAL

CONTINUED ON REVERSE

00006

CLASSIFICATION:

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

REPORT OF INVESTIGATION (CLOSED)

01DEC99

DEATH (I)

CONTROL: 15APR98-0023-0036-7HMS/C

NCIS (b)(6), (b)(7)(C)

COMMAND/MARFORLANT NORFOLK, VA/20100

MADE AT/0023B1/NCISHQ NCIS (b)(6), (b)(7)(C), SPECIAL AGENT

REFERENCE

- (A) CALE ISR/11AUG99
- (B) EUNA ISR/22NOV99

CASE SUMMARY

1. Investigation was conducted to provide specific phase investigative assistance to Command in support of military justice processes related to the alleged misconduct of the four, above-named crew members of a U.S. Marine EA6B Prowler over Cavalese, Italy on 03FEB98 which resulted in the deaths of twenty people. References (A) and (B) provide details of that investigative assistance. Subsequent to completion of adjudication in the case of the crew members, this investigation is closed.

DISTRIBUTION

NCISHQ: 0023  
INFO: EUNA/CALE

//////CORRECTED COPY//////

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PAGE 1 LAST NCIS (b)(6), (b)(7)(C)

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

ACTION/LEAD SHEET (CHANGE)

01DEC99

DEATH (I)

CONTROL: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C)

COMMAND/MARFORLANT NORFOLK, VA/20100

MADE AT/0023B1/NCISHQ/ NCIS (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

- (A) CALE ISR/11AUG99
- (B) EUNA ALS/22NOV99
- (C) 0023 ALS(OPEN)/15APR99

CASE SUMMARY

1. Reference (A) summarizes NCIS specific phase investigative assistance provided Command in support of military justice processes related to the alleged misconduct of the above-named crew of a U.S. Marine EA6B Prowler over Cavalese, Italy on 03FEB98 resulting in the deaths of twenty people. Reference (B) provides additional coverage not specifically identified under Ref (A).

2. Reference (C) did not set forth a specific lead for which an ALS (RUC) would be necessary, the document type represented by Ref (B) would more appropriately be identified as an Investigative Summary Report (Pending).

ACTION

A.DIST...Change document type of Ref (B) to read INVESTIGATIVE SUMMARY REPORT (PENDING).

DISTRIBUTION

NCISHQ: 0023  
ACTION: 0023/EUNA/CALE

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PAGE 1 LAST NCIS (b)(6), (b)(7)(C)

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' 335340 16:28 19991201 IN:T2 #42689 OUT:CIS #64025

ACTION/LEAD SHEET (CHANGE)

01DEC99

DEATH (I)

CONTROL: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C)

COMMAND/MARFORLANT NORFOLK, VA/20100

MADE AT/0023B1/NCISHQ/ NCIS (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

- (A) CALE ISR/11AUG99
- (B) EUNA ALS/22NOV99
- (C) 0023 ALS(OPEN)/15APR99

CASE SUMMARY

1. Reference (A) summarizes NCIS specific phase investigative assistance provided Command in support of military justice processes related to the alleged misconduct of the above-named crew of a U.S. Marine EA6B Prowler over Cavalese, Italy on 03FEB98 resulting in the deaths of twenty people. Reference (B) provides additional coverage not specifically identified under Ref (A).

2. Reference (C) did not set forth a specific lead for which an ALS (RUC) would be necessary, the document type represented by Ref (B) would more appropriately be identified as an Investigative Summary Report (Pending).

ACTION

A.DIST...Change document type of Ref (B) to read INVESTIGATIVE SUMMARY REPORT (PENDING).

DISTRIBUTION

NCISHQ: 0023  
ACTION: 0023/EUNA/CALE

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PAGE 1 LASICS (b)(6), (b)(7)(C)

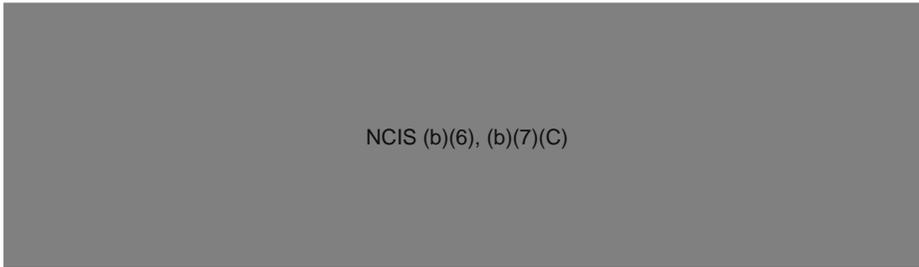
NNNN

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ACTION/LEAD SHEET (RUC)  
*Investigative Summary Report (Pending)*  
DEATH (I)

22NOV99

CONTROL: 15APR98-0023-0036-7HMS



NCIS (b)(6), (b)(7)(C)

COMMAND/MARFORLANT NORFOLK, VA/20100

MADE AT/EUNA/NAPLES, ITALY/  SPECIAL AGENT

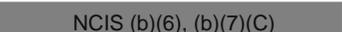
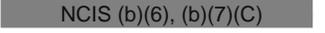
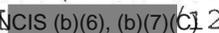
REFERENCES

- (A) 0023 ALS (PENDING)/01MAY98
- (B) EUNA ALS (PENDING)/09JUL98
- (C) EUNA ALS (PENDING)/23MAR99
- (D) CALE ALS (RUC)/11AUG99

CASE SUMMARY

(1) IAW reference (A), Tasking Control Binders summarizing, documenting and containing statements and investigative actions for taskings completed by EUNA, were provided to CALE, reference (B) pertains. Since the submission of reference (B), all completed investigative taskings were provided directly to the Marine Trial Counsel due to the exigent nature of the material vice providing them to CALE, reference (C) pertains. Since the submission of reference (C), CALE provided all investigative tasking to NCISHQ Code 23 to include taskings completed by EUNA, reference (D) pertains. The investigative taskings provided directly to Trial Counsel by EUNA are appended as exhibits (1) through (35). A synopsis for taskings completed by EUNA is appended as exhibit (36).

EXHIBITS

- (1) IA:SEIZURE OF VIDEOCASSETTE TAPE MARKED SECRET/17MAR98... (COPY 0023 ONLY)
- (2) IA:TRANSLATION OF ITALIAN WITNESS  DEPOSITION/30MAY98... (ORIG 0023 ONLY)
- (3) IA:TRANSLATION OF ITALIAN WITNESS  DEPOSITION 30MAY98... (ORIG 0023 ONLY)
- (4) IA:TRANSLATION OF ITALIAN WITNESS  DEPOSITION 30MAY98... (ORIG 0023 ONLY)
- (5) IA:TRANSLATION OF ITALIAN WITNESS  DEPOSITION/30MAY98... (ORIG 0023 ONLY)
- (6) IA:TRANSLATION OF ITALIAN WITNESS  DEPOSITION/30MAY98... (ORIG 0023 ONLY)
- (7) IA:TRANSLATION OF ITALIAN LETTER FROM U.S. EMBASSY ROME, ITALY/01JUN98... (COPY 0023 ONLY)
- (8) STATEMENT/LCP  12JUN98... (ORIG 0023 ONLY)

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PAGE 1



NCIS (b)(6), (b)(7)(C)

DEC 0 1999

WARNING

NCIS (b)(6), (b)(7)(C)

/CLASSIFIED USMC

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- (9) IA:REINTERVIEW OF LCPL NCIS (b)(6), (b)(7)(C) 5JUN98... (COPY 0023 ONLY)
- (10) IA:RESULTS OF EVIDENCE SEIZURE/17JUL99... (COPY 0023 ONLY)
- (11) IA:RESULTS OF SURVEILLANCE OF LEG TWO OF ROUTE AVO47/10OCT99... (COPY 0023 ONLY)
- (12) IA:RESULTS OF PHOTOGRAPHIC COVERAGE/10OCT98... (ORIG 0023 ONLY)
- (13) IA:RESULTS OF ROUTE SURVEY/10OCT98... (ORIG 0023 ONLY)
- (14) IA:CONTACT WITH WITNESSES/13OCT98... (COPY 0023 ONLY)
- (15) IA:INTERVIEW OF ITALIAN WITNESS/ NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (16) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (17) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (18) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 05NOV98... (COPY 0023 ONLY)
- (19) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 27OCT98... (COPY 0023 ONLY)
- (20) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (21) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (22) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 27OCT98... (COPY 0023 ONLY)
- (23) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (24) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) /27OCT98... (COPY 0023 ONLY)
- (25) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 27OCT98... (COPY 0023 ONLY)
- (26) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 27OCT98... (COPY 0023 ONLY)
- (27) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 27OCT98... (COPY 0023 ONLY)
- (28) IA:RESULTS OF WITNESS MAP LOCATIONS/27OCT98... (COPY 0023 ONLY)
- (29) IA:RESULTS OF GPS/27OCT98... (COPY 0023 ONLY)
- (30) IA:RESULTS OF VIDEO COVERAGE/27OCT98... (ORIG 0023 ONLY)
- (31) IA:RESULTS OF PHOTOGRAPHIC COVERAGE/27OCT98... (COPY 0023 ONLY)
- (32) IA:INTERVIEW OF NCIS (b)(6), (b)(7)(C) 28OCT98... (COPY 0023 ONLY)
- (33) IA:RESULTS OF GPS/28OCT98... (COPY 0023 ONLY)
- (34) IA:CONTACT WITH ITALIAN AIR FORCE OFFICIALS RESPONSIBLE FOR RADAR INSTALLATIONS IN NORTHERN ITALY/04NOV98... (COPY 0023 ONLY)
- (35) IA:CONTACT WITH ITALIAN CARABINIERI OFFICIAL CONCERNING INFORMATION ON RADAR INSTALLATIONS IN NORTHERN ITALY/09NOV99... (COPY 0023 ONLY)
- (36) TASKING SYNOPSIS SHEET/07JAN99... (COPY 0023 ONLY)

**PARTICIPATING AGENTS**

NCIS (b)(6), (b)(7)(C)

CISFO Europe, Naples, It  
 SA, NCISRU Rome, It  
 NCISFO Europe, Naples, It  
 IOS, NCISRA Sigonella, It  
 SA, NCISFO Europe, Naples, It  
 , NCISRU La Maddalena, It

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 NCISFO: EUNA  
 INFO: CALE

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PAGE 2 LAST NCIS (b)(6), (b)(7)(C)

**WARNING**

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP  
JUDICIAL PROCESS  
CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: SEIZURE OF VIDEOCASSETTE TAPE MARKED  
"SECRET"

On 17MAR98, subsequent to the conclusion of the JAGMAN Investigation related to the EA-6B mishap on 03FEB98, Intelligence Operations Specialist [REDACTED] NCIS (b)(6), (b)(7)(C) and reporting agent were in the Safety Bldg., at the Aviano Air Base, Aviano, IT, the room where the JAGMAN Investigation was convened. As background, reporting agent and [REDACTED] NCIS (b)(6), (b)(7)(C) were present during the JAGMAN Investigation for three (3) weeks as advisors to the JAGMAN Investigation Board. On this date, reporting agent and [REDACTED] NCIS (b)(6), (b)(7)(C) anticipating our departure from Aviano the following date (18MAR98), were packing and organizing various items, which needed to be taken back to the NCIS Field Office (NCISFO) Europe, Naples, IT. While doing so, we decided to check a four (4) drawer safe, which was open at the time, to determine if there was anything stored in that safe which needed to be taken back to NCISFO Europe. This safe was utilized during the JAGMAN investigation for securing and storing various items. We subsequently discovered various photographs related to the investigation, taken by NCIS Special Agents, that had been stored in the bottom drawer of this safe. We then removed these photographs and placed them inside a box for transport back to Naples, IT. We then decided to check the three (3) remaining drawers to see if there were any remaining items that also needed to be taken back. At this time, all of the JAGMAN Investigation Board members had left Aviano, IT. We decided to check the other drawers to the safe and discovered a VHS videocassette tape, with a "Secret" sticker on both the front and the back of the videocassette. Both of us having Top Secret clearances, elected to place the videotape into a Videocassette Recorder (VCR) located in the Safety Bldg., where the JAGMAN Investigation Board met. We were the only individuals in the room at this time. In viewing this particular tape, we observed what appeared to be a computer generated, simulated flight. After further viewing of this particular tape, it appeared to be a simulated flight utilizing the same route (AV047) the EA-6B mishap occurred on 03FEB98. In reviewing the videotape, we observed several attempts made flying this route, again utilizing what appeared to be a computer flight

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

simulator.

Reporting agent had two (2) concerns at this time. The first concern was the security of the tape given it's classification and the fact we had discovered the tape in an unsecured safe. The second concern was the fact it may not have had any importance to any of the JAGMAN Investigation Board members, as they had all departed the area and this particular videocassette tape was left behind and not properly secured.

Reporting agent apprised appropriate NCIS supervisory personnel of the discovery of subject videocassette tape, and subsequently transported same back to NCISFO Europe where the tape was immediately secured in reporting agent's GSA, U.S. Government approved safe. There was no desire on the part of reporting agent to attempt to withhold or hide this tape at any time for any reason. In addition, reporting agent was not aware of any type of "optical illusion" on subject videotape.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Reporting Agent: [REDACTED] NCIS (b)(6), (b)(7)(C)  
Reporting Office: NCISFO Europe, Naples, IT

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TRANSLATION OF ITALIAN WITNESS NCIS (b)(6), (b)(7)(C) DEPOSITION

On 30MAY98, at the County Court of Trento in front of Judge NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) G.I.P (Judge for the preliminary inquiry County Court of Trento) empowered by the Court of Appeals of Trento to conduct this proceeding with the assistance of the Secretary NCIS (b)(6), (b)(7)(C) stenotypist NCIS (b)(6), (b)(7)(C) and NCIS (b)(6), (b)(7)(C) as well as in the presence of NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) all agents identified by the Rogatory authority. With the Judge's approval the interviews will be conducted with the aid of maps (scale 1-50.000) provided by the agents with the Rogatory authority.

THE WITNESS IS INTRODUCED, NCIS (b)(6), (b)(7)(C) BORN AT NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) RESIDING IN NCIS (b)(6), (b)(7)(C) OF NCIS (b)(6), (b)(7)(C) WHO WITH HIS HEAD UNCOVERED SOLEMNLY SWEARS THE FOLLOWING: "I UNDERSTAND THE MORAL AND GIUDICIAL RESPONSIBILITY I AM ASSUMING WITH MY STATEMENT, I PLEDGE TO TELL THE WHOLE TRUTH AND NOT TO HIDE ANYTHING WITHIN MY KNOWLEDGE".

INTERVENTION OF THE PRELIMINARY INVESTIGATIVE JUDGE (G.I.P.) - QUESTION (Q) - WHERE WERE YOU ON 03FEB98 AND WHAT DID YOU SEE? ANSWER (A) - I WAS ON THE ROAD THAT HEADS DOWN THE VALLEY, THAT PASSES UNDER THE CABLE WAY.

IT IS BROUGHT TO THE RECORDS THAT IT IS THE PROVINCIAL ROAD THAT WAS BUILT BY THE AUTONOMOUS PROVINCE OF TRENTO IN 1992, NOT REPRESENTED IN ANY OF THE TWO MAPS ON FILE.

INTERVENTION OF NCIS (b)(6), (b)(7)(C) - Q - WERE YOU IN YOUR CAR? A - YES. Q - WERE YOU DRIVING? A - YES. Q - IN WHAT DIRECTION? A - IN THE DIRECTION TO MOLINA DI FIEMME.

INTERVENTION OF THE G.I.P. - Q - WHAT DID YOU SEE? A - ON THE SRAIGHTAWAY WHERE THE STREET PASSES UNDER THE CABLE WAY I HEARD A LOUD NOISE OF AN AIRPLANE, LOUDER THAN THE ONES USUALLY HEARD. Q - IN THAT INSTANT WERE YOU UNDER CAVALESE? A - UNDER THE CABLE WIRE. Q - IN THAT TRACT THE ROAD PASSES ON THE OTHER SIDE OF THE RIVER? A - IN RESPECT TO THE DIRECTION OF THE RIVER ON THE RIGHT, BETWEEN THE RIVER AND THE STARTING POINT.

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS**

**CCN: 15APR98-0023-0036-7HMS**

Q - BETWEEN THE RIVER AND CAVALESE?  
A - YES.

INTERVENTION OF [REDACTED] -

Q - THEREFORE, THERE'S THE RIVER, THE ROAD AND CAVALESE?  
A - YES.  
Q - WERE YOU TRAVELING IN AN EAST OR WEST DIRECTION?  
A - EAST.  
Q - THEREFORE, SOUTH IN RESPECT TO THE RIVER?  
A - NO.  
Q - ONLY THE SOUND THAT WAS PRODUCED BY THE AIRPLANE?  
A - YES.  
Q - THEN DID YOU SEE THE AIRPLANE PASS AND THEN CLIMB?  
A - YES, THEN I TURNED AND LOOKED IN FRONT AND I SAW THE CABLE WIRE FALL.  
Q - DO YOU SERVE IN THE CARABINIERI FORCE?  
A - YES.  
Q - FROM HOW MANY YEARS?  
A - FROM 11.5 YEARS.

INTERVENTION OF THE G.I.P.

Q - CAN YOU BE AVAILABLE TO GO THE UNITED STATES TO TESTIFY IN COURT?  
A - NOT MUCH SO. I AM AFRAID OF FLYING.

INTERVENTION OF [REDACTED] -

Q - ARE YOU BEING HESITANT DUE TO THE SOLE FACT THAT OF FLYING?  
A - YES.  
Q - YOUR TESTIMONY, LIKE THAT OF THE OTHERS, IS VERY IMPORTANT. IF YOU COULD CONSIDER THIS FOR US IT WOULD IT WOULD BE VERY IMPORTANT.  
A - I'LL THINK ABOUT IT.  
Q - YOU KNOW HOW IMPORTANT THE TESTIMONY OF A PERSON IS, THEREFORE WE ASK, BASED ON YOUR PERSONAL AND WORK EXPERIENCE THAT YOU OVERCOME YOUR FEAR OF FLYING.

**ENCLOSURES:**

(1). Italian deposition of [REDACTED] MAY98

[REDACTED] do solemnly swear or affirm that this statement I have interpreted into English is true and correct to the best of my abilities

[REDACTED]

Signature of Interpreter

TRANSLATED BY: [REDACTED]

OFFICE: **NCISFO, EUROPE NAPLES, ITALY**

DATE: 15JUN98

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Pages 18 through 19 redacted for the following reasons:

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Exhibit (2): Document in a foreign language, translation provided on Pages (16 - 17)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TRANSLATION OF ITALIAN WITNESS [REDACTED] DEPOSITION

On 30MAY98, at the County Court of Trento in front of Judge [REDACTED] (Judge for the preliminary inquiry County Court of Trento) empowered by the Court of Appeals of Trento to conduct this proceeding with the assistance of the Secretary [REDACTED] stenotypist [REDACTED] and [REDACTED] as well as in the presence of [REDACTED]

[REDACTED] all agents identified by the Rogatory authority. With the Judge's approval the interviews will be conducted with the aid of maps (scale 1-50.000) provided by the agents with the Rogatory authority.

[REDACTED] witness was introduced as being born in [REDACTED] residing at [REDACTED] solemnly swear the following: " being conscious of a moral and judicial responsibility, I pledge to tell the whole truth regarding all of my knowledge during my deposition".

Arbitration of the Judge

Question - What were you doing?

Answer - I was at the controls of the cablecar, I am a cablecar engineer.

Question - At the moment where you were?

Answer - I was at the bench.

Question - In which station?

Answer - At the intermediate station.

Question - Therefore at the mountain?

Answer - Yes.

Arbitration of [REDACTED]

Question - There is an operator for every sector of the cablecar, or there is only one person that controls the entire cablecar?

Answer - One operator gets the cablecar started, then at the valley there is a person that controls his post...

Question - You are the operator for the intermediate station?

Answer - Yes.

Arbitration of the Judge

Question - When the impact occurred how long the cablecar had departed from your post?

Answer - Yes, it departed my post and the journey altogether takes 6 minutes, therefore 4 minutes had pass since the departure.

Question - Did you see the aircraft?

Answer - No.

Page 1 OF 2

EXHIBIT (3)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: /MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

Arbitration of [REDACTED] NCIS (b)(6), (b)(7)(C)

Question - Did you ever see military aircraft go by in the area?

Answer - Yes I seen aircraft but I do not know if they were military aircraft.

Question - At what speed the cablecar descends?

Answer - At 10 meters in a second.

Question - The gentleman here present are American Prosecutors.

Did you know Mr [REDACTED] NCIS (b)(6), (b)(7)(C)

Answer - Yes.

Question - Did you know him only professionally?

Answer - Yes.

Question - You Did not have a friendly relationship?

Answer - Of course we work together...I don't remember if they were 5 or 6 years that he worked with us. There was a professional and a friendly relationship.

Question - Did you see the persons, that unfortunately deceased, go up in the cablecar?

Answer - No, I was at the control bench, which is an enclosed space with a window, but we don't look who boards the cablecar.

Question - The damages to the cablecar has been repaired or is still damaged?

Answer - Every think is still stopped.

Question - Since you work with the system how long you think would take to repair the damages?

Answer - I don't know, I am not in a position to judge, months , I could not say.

Question - With this cablecar, additionally to the personal damage, the system currently is blocked or continues to work?

Answer - No, the system is stopped.

Question - Do you continue to work?

Answer - Yes, there are more cablecars systems.

Question - Therefore are more cablecars systems?

Answer - Yes, there are more systems that continue to function and are marked on the map.

Arbitration of the Judge

Question - The cablecar system that is blocked is the one between Cavalese and the intermediate station?

Answer - Yes.

Arbitration of [REDACTED] NCIS (b)(6), (b)(7)(C)

Question - Since the cablecar system is blocked, what impact has been on the economy of Cavalese? There are people that economically suffer from the cablecar incident?

Answer - I am not in a position to judge. Obviously they are...

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS**

**CCN: 15APR98-0023-0036-7HMS**

Arbitration of the Judge

Question - You are willing to go to the United States to testify at the trial?

Arbitration of [REDACTED] NCIS (b)(6), (b)(7)(C)

Question - Everything will be paid by the government?

Answer - If I need to come I will, But...

The deposition is signed by [REDACTED] NCIS (b)(6), (b)(7)(C) and Judge [REDACTED] NCIS (b)(6), (b)(7)(C)  
[REDACTED] NCIS (b)(6), (b)(7)(C)

**Page 4 OF 5**

**ENCLOSURES:**

(1). Italian deposition [REDACTED] NCIS (b)(6), (b)(7)(C) 10MAY98

I [REDACTED] NCIS (b)(6), (b)(7)(C) do solemnly swear or affirm that this statement I have interpreted into English is true and correct to the best of my abilities

[REDACTED]  
NCIS (b)(6), (b)(7)(C)

**Signature of Interpreter**

TRANSLATED BY:  
OFFICE:  
DATE: 15JUN98

[REDACTED] NCIS (b)(6), (b)(7)(C)  
**NCISFO, EUROPE NAPLES, ITALY**

**Page 3 OF 3**

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Pages 23 through 24 redacted for the following reasons:

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Exhibit (3): Document in a foreign language, translation provided on Pages (20 - 22)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP  
JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TRANSLATION OF ITALIAN WITNESS NCIS (b)(6), (b)(7)(C) DEPOSITION

On 30MAY98, at the County Court of Trento in front of Judge NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) (Judge for the preliminary inquiry County Court of Trento) empowered by the Court of Appeals of Trento to conduct this proceeding with the assistance of the Secretary NCIS (b)(6), (b)(7)(C) stenotypist NCIS (b)(6), (b)(7)(C) and NCIS (b)(6), (b)(7)(C) as well as in the presence of NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

all agents identified by the Rogatory authority. With the Judge's approval the interviews will be conducted with the aid of maps (scale 1-50.000) provided by the agents with the Rogatory authority.

NCIS (b)(6), (b)(7)(C) witness, was introduced as being born in NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) residing at NCIS (b)(6), (b)(7)(C) solemnly swear the following: " being conscious of a moral and judicial responsibility, I pledge to tell the whole truth regarding all of my knowledge during my deposition".

## INTERVENTION OF THE JUDGE

Question - When did you go to inspect the place where the disaster occurred?

Answer - About 40 minutes later.

Question - You calculated that the height of the cabin going downhill was at about 100 meters from the ground, and you have also identified the place when the rope was severed, is this correct?

Answer - No, I have made an approximate estimate as requested by the Carabinieri.

Question - At the moment of the impact with the airplane, you said that the towing rope was at about 90 meters from the ground, while the supporting one was at 10 meters lower.

The difference of about 10 meters depends solely on the weight of the cabin, is this correct?

Answer - The distance between the two ropes?

Question - Yes, this is caused by the fact that the cabin is only being carried by one of the ropes, is this the reason?

Answer - No, the reason is that one of the ropes is the towing one and the other is a ballast.

Question-Then, the difference in height refers to the two ropes on the same line?

Answer - Yes.

Question - And the variation is about 10 meters?

Answer - No, it is about two meters, being the distance between the area of impact and of the cabin of about 50 meters.

Page 1 OF 3

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EXHIBIT (4)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP  
JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

It this case, it is called ballast.

INTERVENTION OF [REDACTED] NCIS (b)(6), (b)(7)(C)

Question - Are there two cables for the gondola?

Answer - Yes, one is the towing rope and the other which the gondola runs on is bigger.

Question - According to you, how much damage has there been to the system?

Answer - I am not able to answer this.

Question - Could you at least estimate how much?

Answer - Do you mean only tangible losses?

Question - Yes, can you quantify how much?

Answer - About 2 or 3 billion lira.

Question - Did you know Mr [REDACTED] NCIS (b)(6), (b)(7)(C)

Answer - Yes.

Question - Did you know him professionally or were you two friends?

Answer - We had a work relationship.

Question - Do you have any idea how long the repairs will take?

Answer - At this moment, the cable car is impounded so we can't even start.

Question-If the work could be started tomorrow, how long would it take?

Answer - The company doesn't have any intention of repairing the system right now, they want to do it in a different way.

Question- Other than the rope that was severed, was there other damage at the beginning point?

Answer-No, directly at the departure station, there is a crack in the counterbalance. The counterbalance in the sustaining pole is broken.

Question-Was there damage to the first arriving point?

Answer- No, nothing.

Question- Is there a braking system?

Answer- Yes.

Question- And did this system have any damage?

Answer- No, there were brakes in the gondola which fell and were completely destroyed.

Question- Did the ballast rise for the lack of weight when the rope was severed?

Answer-The counterbalance of the carrying system fell immediately, while the counterbalance of the ballast hit the ceiling of the cable car.

Question-Did the ballast cause damage when it hit the ceiling?

Answer- At first glance it seems not.

Page 2 OF 3

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP  
JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

Question- If your testimony and presence were necessary in the United States, would you go?

Answer- I would think not, but if it were necessary...

Question- Have you ever seen other military aircraft in this area?

Answer-Yes, but flying pretty high.

Question- So, ever at this height?

Answer- No.

Question- Had you every heard, from others, of military aircraft trying to fly under the cable?

Answer- No.

Question- So, there wasn't this rumor around?

Answer- No or I never heard it.

I **NCIS (b)(6), (b)(7)(C)** do solemnly swear or affirm that this statement I have interpreted into English is true and correct to the best of my abilities

**NCIS (b)(6), (b)(7)(C)**

/Signature of Interpreter

TRANSLATED BY: **NCIS (b)(6), (b)(7)(C)**  
OFFICE: **NCISFO, EUROPE NAPLES, ITALY**  
DATE: 14JUN98

Page 3 OF 3

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Pages 28 through 29 redacted for the following reasons:

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Exhibit (4): Document in a foreign language, translation provided on Pages (25 - 27)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TRANSLATION OF ITALIAN WITNESS [REDACTED] DEPOSITION

On 30MAY98, at the County Court of Trento in front of Judge [REDACTED] (Judge for the preliminary inquiry County Court of Trento) empowered by the Court of Appeals of Trento to conduct this proceeding with the assistance of the Secretary [REDACTED] stenotypist [REDACTED] and [REDACTED] as well as in the presence of [REDACTED]

[REDACTED] all agents identified by the Rogatory authority. With the Judge's approval the interviews will be conducted with the aid of maps (scale 1-50.000) provided by the agents with the Rogatory authority.

[REDACTED] witness was introduced as being born in [REDACTED] on [REDACTED] residing at [REDACTED] solemnly swear the following: " being conscious of a moral and judicial responsibility, I pledge to tell the whole truth regarding all of my knowledge during my deposition".

Arbitration of the Judge

Question - The afternoon of 03FEB98, where were you and tell me precisely where your position was in reference to the valley of the river Avisio?

Answer - I was at Castello di Fiemme.

Question - Castello di Fiemme is a town at the bottom of the valley?

Answer - No, is above the valley, the position where I was with my friend is actually located on a precipice.

Question - Is sort like a balcony on the valley?

Answer - Yes.

Question - There is a normal window in the room you were?

Answer - No, big, because is an attic, it's a wall 4 meters long.

Question - This entire wall is a window?

Answer - Yes, because is an attic, below there is the house of the family and below there is the precipice, I see Cavalese, Tesero, Ziano.

Question - In the east direction you see the Fiemme valley?

Answer - Yes.

Question - You see it in a extensive way?

Answer - Yes.

Question - What did you see in the afternoon on 03FEB98n and at what time?

Answer - Toward 1515 I had this baby because the landlady wasn't there, I heard this loud noise, loud that woke up the baby. I stood up on a piece of furniture and saw a aircraft pass toward me

Page 1 OF 5

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

with the belly turned toward me.

Question - Therefore was flying tilt on the right?

Answer - Yes.

Question - You were on the left in comparison to the aircraft?

Answer - Yes.

Question - The aircraft was high or low in comparison to you?

Answer - Equal to because I saw the antenna wobble.

Question - You saw the antenna wobble from the aircraft not from the wind?

Answer - No, because it never wobble so much. The antenna of the house in front is more low.

Question - Did you see it flying in the direction of the Cavalese Fall?

Answer - Yes.

Question - Which lays in the bottom of the valley?

Answer - Yes.

Question - Did you see suddenly that he changed his pattern of flight?

Answer - Yes, I was just like in front of you, I saw it coming from my right your left, however he then made turns and than jumped. I did not take in account that there the wires in the middle, however I saw the cabin after that...

Question - Did he raise toward aloft at the point he saw there was the cabin?

Answer - Yes, the cabin was descending.

Arbitration of NCIS (b)(6), (b)(7)(C)

Question - We have joked a little, but we didn't even know of your testimony. The gentleman here present are American Prosecutor who are gathering testimony for the prosecution. Therefore I would like that you to understand that your testimony is essential.

Arbitration of the Judge

Question - Everybody has seen a picture, while you have in your eyes like a movie of what happened, from the 8-10 seconds before the aircraft went up, not only you seen everything from a such height... You were higher then the aircraft and this is the reason why they consider your testimony very important for the trial.

Arbitration of Mr NCIS (b)(6), (b)(7)(C)

Question - You will not be alone, everything will be reimbursed by the United States, you will be accompanied.

Question - You are a kindergarten teacher?

Answer - Yes.

Page 2 OF 5

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

Question - You said something important: " at the moment you were attending a baby" correct?

Answer - Yes.

Question - When this aircraft flayed you at once went to get the baby?

Answer - No, I let him cry. I heard a strong roar, you could hear the noise. It woke up the baby, instead I look to see what happened. He was crying I went on the balcony and told him the cablecar fell. I saw a stretch where the cablecar fell, and then there are the trees. I did not see the impact on the ground.

Arbitration of the Judge

Question - The baby started to cry due to the roar?

Answer - Yes.

Question - Did the aircraft ever drop?

Answer - No, it came to my right from my left, it made 2 or 3 turns and then it went up. Here it was the window, the aircraft arrived tilted and went toward the left, it made 2 or 3 turns and then went up. I even thought the fall was caused by the air that shifted...

Arbitration of Mr. [REDACTED] (b)(6), (b)(7)(C)

Question - It was always tilted on the left like you seen it from the start?

Answer - No, it was tilted.

Arbitration of the Judge

Answer - I saw it's belly he then turned on the side and then went up.

Question - When it went up do you remember what position were the wings?

Answer - Not horizontal, but now...however were not horizontal.

Arbitration of Mr. [REDACTED] (b)(6), (b)(7)(C)

Question - Did you have a scary feeling?

Answer - Later yes, when I seen it pass, by now...I was not calm, but I seen...

Question - At the moment of the pass when you saw the aircraft flying did you fear for your safety?

Answer - No, because I like to see airplanes therefore I like see them go by.

Question - Did you ever see another aircraft go by this low like this one?

Answer - No, not this low, I think little higher.

Question - More passages had been made?

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

Answer - Yes, few days earlier they passed from the other side, but never this low above the house.

Question - When the aircraft veered up did you see if something fell from it?

Answer - No, because I don't know how far it was, but it was far. I did not see any parts fall, however when it left I stared at the cablecar which was going down, I could not believe it. Meanwhile the aircraft had gone.

Question - What did you see fall? The motion of the cablecar?

Answer - It was rocking, the last impact I did not see it.

Question - You did not see the last impact?

Answer - No.

Question - Therefore you seen it swinging and rocking and then the cable break?

Answer - No, because I could not see the cable.

Question - Therefore you seen it swinging and fall?

Answer - I see the cablecar this way, is not that...

Question - What type of swinging the cablecar made?

Answer - It rocked forward and backward and then fell. It rocked 4 times.

Question - You stated from where you were standing you could not see the cable, correct?

Answer - No.

Question - But you could see the cablecar?

Answer - Yes, because when it was in service I seen it going down and up. I really see the yellow cablecar. I see when it comes down.

Question - You can say there is a lot of contrast between the colors of the gondola and what you see in the panorama. The cablecar is something you can see?

Answer - Yes, even so that around there are green trees the cablecar is yellow. Since I knew where it fell last time, I see from my window a house in the middle of the meadow, I knew it fell there. I told the man below my balcony that it fell more or less where it fall last time. In fact it was there.

Question - I know you did not see the entire fall, but did it fall upright?

Answer - No, it rocked 3 or 4 times then they were the trees therefore I don't know it happened, if it fell upright, I think it crashed.

The deposition is signed by [REDACTED] NCIS (b)(6), (b)(7)(C) and Judge [REDACTED] NCIS (b)(6), (b)(7)(C)  
[REDACTED] NCIS (b)(6), (b)(7)(C)

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS**

**CCN: 15APR98-0023-0036-7HMS**

**ENCLOSURES:**

(1). Italian deposition of [REDACTED] (b)(6), (b)(7)(C) 13MAY98

I [REDACTED] (b)(6), (b)(7)(C) do solemnly swear or affirm that this statement  
I have interpreted into English is true and correct to the best  
of my abilities

[REDACTED]  
NCIS (b)(6), (b)(7)(C)

**Signature of Interpreter**

TRANSLATED BY: [REDACTED] (b)(6), (b)(7)(C)  
OFFICE: **NCISFO, EUROPE NAPLES, ITALY**  
DATE: 14JUN98

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Pages 35 through 38 redacted for the following reasons:

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Exhibit (5): Document in a foreign language, translation provided on Pages (30 - 34)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TRANSLATION OF ITALIAN WITNESS [REDACTED] DEPOSITION

On 30MAY98, at the County Court of Trento in front of Judge [REDACTED] (Judge for the preliminary inquiry County Court of Trento) empowered by the Court of Appeals of Trento to conduct this proceeding with the assistance of the Secretary [REDACTED] stenotypist [REDACTED] and [REDACTED] as well as in the presence of [REDACTED]

[REDACTED] all agents identified by the Rogatory authority. With the Judge's approval the interviews will be conducted with the aid of maps (scale 1-50.000) provided by the agents with the Rogatory authority.

[REDACTED] witness, was introduced as being born in [REDACTED] on [REDACTED] residing at [REDACTED] solemnly swear the following: " being conscious of a moral and judicial responsibility, I pledge to tell the whole truth regarding all of my knowledge during my deposition".

Arbitration of the Judge

Question - The afternoon of 03FEB98, where were you between 1510 and 1530?

Answer - I was coasting along the Avisio river.

Question - How far were you from the cablecar and the cable wire?

Answer - Approximately 200 meters.

Question - From the perpendicular?

Answer - Yes.

Question - What did you see?

Answer - I heard a loud roar, I looked up and saw an aircraft flying. I could not say how high, but it was low, I cannot establish the height from the ground. I heard it at the last moment, I did not hear it coming. Suddenly I heard a roar and it was overhead.

Question - Did you see it and what did you see next?

Answer - I looked up and I thought: "he is crazy" I might said it in dialect, probably I said it in dialect. I looked at the mountain at the same time and I saw the cablecar coming down from Cermis.

Question - Did you see the cablecar coming down and rolling for a second?

Answer - I only seen the cablecar coming down for a second then I was covered by vegetation.

Arbitration of [REDACTED]

Question - When you say you seen it go down did you see it fall?

Answer - I saw it coming down sideways.

Page 1 OF 3

EXHIBIT (6)

## WARNING

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

Arbitration of the Judge

Question - When you saw it was it already falling?

Answer - Yes.

INTERVENTION OF [REDACTED] NCIS (b)(6), (b)(7)(C)

Question - So, it wasn't descending in a normal manner?

Answer - No, it was falling. I realized right away what was happening, because every day I go walking with my dogs along the long run. I know that area like my pockets and almost everyday I would see the cable car go back and forth.

Question - So you realized right way that something had happened?

Answer - Yes, in fact I started yelling. As soon as I saw the cable car falling, I shouted "The cable car, the cable car". At that moment, I thought that it might land on some vegetation which would reduce the impact and I ran in case there might be need of help. When I saw where the cable car fell, I started calling to see if anyone was there, but...

Question - Were you the first person of the scene?

Answer - Yes.

INTERVENTION OF THE JUDGE

Question - Did you know this place?

Answer - Yes, I used to go everyday.

Question-Did you ever see other military aircraft fly over?

Answer - Another one passed over the same afternoon but not as low.

INTERVENTION OF MR. [REDACTED] NCIS (b)(6), (b)(7)(C)

Question - Were you afraid when the airplane flew over your head?

Answer - No, in the beginning, I wasn't. If I had heard it arriving...but I heard a big noise and when I looked up and I had it over my head. Maybe if I had heard it coming, but it was probably covered by the noise of the river.

Question-It is very important for the judges of the United States to understand the extent of your fear. I understand that you performed service in the State Police, and during your career as a Police agent had you ever been afraid as in this moment?

Answer- I wasn't afraid right away, because you suffer from shock in the beginning. As time passes, you start to think, and the first nights..When the dogs walk past there, they stop.

Question - Were you afraid for your safety?

Answer - Not really. Having served with the police, not really fear, it hits you later. At that moment you act very rationally.

Question - But then you stopped?

Answer - Obviously, one remains shocked.

Page 2 OF 3

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

Question - Could you estimate how far the aircraft was from you when you lifted your eyes and noticed the airplane?

Answer - It passed over my head, it was flying low. When I arrived at the scene, it was like a flash which remains in the brain. It must not have been over 30 meters, I turned towards the valley, and I saw it maybe 30-40 meters on my left looking towards the valley, 30-40 meters, not more.

Question - You have been asked to estimate distances many times before in your profession.

Answer- It is easier to estimate how long something is rather than how high. You can calculate comparing to the top of a tree or a plant.

Question - Did you hear any moans when you arrived at the scene?

Answer - Absolutely not.

Question - You said that still today when you walk in that area, you still feel strange. You told us about the dogs stopping in their tracks, correct?

Answer - The dogs didn't realize anything for the first few days, but a person does. Dogs can feel it indirectly.

Question- Do you still walk in that area?

Answer - Yes.

Question- How do you feel when you return there?

Answer-I always look at the place, even if you don't want to.

## INTERVENTION OF THE JUDGE

Question - You are willing to go to the United States to testify in september or october before a grand Jury?

Answer - Yes.

The deposition is signed by [REDACTED] and Judge [REDACTED]

## ENCLOSURES:

(1). Italian deposition of [REDACTED] 03MAY98

I, [REDACTED] do solemnly swear or affirm that this statement I have interpreted into English is true and correct to the best of my abilities

[REDACTED]  
NCIS (b)(6), (b)(7)(C)

Signature of Interpreter

TRANSLATED BY: [REDACTED]  
OFFICE: NCISFO, EUROPE NAPLES, ITALY  
DATE: 15JUN98

Page 3 OF 3

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Pages 42 through 44 redacted for the following reasons:

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Exhibit (6): Document in a foreign language, translation provided on Pages (39 - 41)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TRANSLATION OF ITALIAN LETTER FROM U.S. AMERICAN EMBASSY,  
ROME, ITALY

Translation of Page one

U.S. DEPARTMENT OF JUSTICE  
CRIMINAL DIVISION  
OFFICE OF INTERNATIONAL AFFAIRS  
AMERICAN EMBASSY, ROME ITALY

01JUN98

Copy sent by FAX  
Original letter hand delivered

Distinguished Dott. [REDACTED] NCIS (b)(6), (b)(7)(C)  
Director II A.P. Office  
Ministry of Justice  
Via Arenula 70  
00186 Rome, Italy

Ref: Request of assistance for the Judicial Penal Proceeding  
against Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and others.

Dear Dott. [REDACTED] NCIS (b)(6), (b)(7)(C)

With regards I transmit the following additions to the request

1. On 30MAY98, in Trento the testimony requested by the American Authorities took place with the cordial assistance of Judge [REDACTED] NCIS (b)(6), (b)(7)(C) Judge [REDACTED] NCIS (b)(6), (b)(7)(C) next week has intentions to hear the witnesses that were not present.
2. It is possible that the American Authorities once examined the testimony of the witnesses could request to re-interview some of the witnesses at the location where on the 03FEB98 they saw the military aircraft. This request of assistance is reserved for a future communication.
3. Judge ANCONA released numerous copies of requested documents he will forward the originals to your office in the coming days. The American Authorities will notify me if they need more documents.
4. Judge ANCONA authorized the American Authorities to conduct any activity deemed necessary at the site of the incident where the cable car crashed, on the aircraft, and on the parts of wire cable present of the aircraft.

Page 1 OF 2

EXHIBIT ( 1 )

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000045

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

5. The requested material evidence will be delivered to the American Authorities on 02JUN98. The United States will return the evidence upon completion of the American trial. The military agents authorized to receive the evidence are Mark FALLON and Salvatore LO MONACO

## Translation of Page two

of the Naval Criminal Investigative Service. The Italian Authorities to establish the retrieval time of the evidence can directly contact me.

6. In addition to the material evidence the American Authorities request to retrieve the cable car to present in court to the jury during the trial. The presence of the cable car will show the jury the force of the impact to the ground of the cable car. We ask that on the 02JUN98 the cable car will be given to the American Authorities with the other evidence.

7. In regards to the seized aircraft in Aviano, Judge ANCONA authorized the total examination of the aircraft. The American Authorities do not need the aircraft as material evidence for the actual trial. The American Authorities in the future will request the release of the aircraft.

With regards and respect  
Laurie J. BARSELLA  
Senior Counsel for International Law Enforcement  
Department of Justice.

A copy of this Letter was sent to Judge ANCONA, Asst. Public Prosecutor Giardina, Dott.ssa BARBERINI, Louis COSENTINO, Patricia REEDY.

## ENCLOSURES:

(1). Italian letter from U.S. Dept. of Justice/01 JUN98

TRANSLATED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)  
OFFICE: NCISFO, EUROPE NAPLES, ITALY

Page 2 of 2

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000046

Pages 47 through 48 redacted for the following reasons:

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Exhibit (7): Document in a foreign language, translation provided on Pages (45 - 46)

STATEMENT

PLACE: Incirlik Air Base  
Incirlik, Turkey  
Date: 12JUN98

[redacted] NCIS (b)(6), (b)(7)(C) make the free and voluntary statement to [redacted] NCIS (b)(6), (b)(7)(C) whom I know to be a Special Agent of the U.S. Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the EA-6B Prowler mishap flight occurring on 03FEB98 in Cavalese, Italy, [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C) for purpose of identification, I am a [redacted] NCIS (b)(6), (b)(7)(C) male, social security number [redacted] NCIS (b)(6), (b)(7)(C) a Corporal (E-4), in the United States Marine Corps, currently assigned to VMGR-252 at the Incirlik Air Base, Incirlik, Turkey. I was born in [redacted] NCIS (b)(6), (b)(7)(C) on [redacted] NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) inches tall and weigh approximately [redacted] NCIS (b)(6), (b)(7)(C) lbs. I have [redacted] NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C) On 10AUG97, I was assigned to USMC squadron VMAQ-2 out of MCAS Cherry Point, NC and as a result subsequently left with the squadron for Aviano Air Base, Aviano, Italy on 21AUG97. My particular Military Operation Specialty (MOS), is Small Arms Repairman. The reason I became assigned to VMAQ-2 is the squadron would be carrying 9mm handguns while flying missions over the former Republic of Yugoslavia and essentially I would be on hand as an armorer [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C) Whenever the flight crew had a mission or were going to fly I had to be there to issue the weapons. Since I had to be on hand for this purpose, I was also given the responsibility to drive the crew out to their respective aircraft for their flight. I also ended up having this responsibility because my office was next to the Ready Room at Tent City, Aviano Air Base and it was convenient for me to handle this job as well. I was not just the driver for the mishap aircrew, but was the driver for all VMAQ-2 squadron air crew. Essentially, I would drive the air crew from the Ready Room at Tent City to the maintenance Hardened Aircraft Shelter (HAS) at the Aviano Air Base. I would usually drop the crew off here and on some occasions would drive them right to the aircraft itself. In general, I would check the briefing schedule for flights, find out how long the brief would last and then meet the crew for transport at the Ready Room and take them to the maintenance HAS. Regarding the 03FEB98 transport of the mishap crew, I cannot specifically recall what my routine would have been, but it would have been generally the same as I described above. I do recall transporting the mishap crew on 03FEB98, which consisted of Captain [redacted] NCIS (b)(6), (b)(7)(C) who was the pilot of the EA-6B, Captain [redacted] NCIS (b)(6), (b)(7)(C) who was the front seat ECMO, Captain [redacted] NCIS (b)(6), (b)(7)(C) and Captain [redacted] NCIS (b)(6), (b)(7)(C) who were in the backseat. On 03FEB98, I went to the Ready Room at Tent City at about the time the brief was scheduled to end. I waited until the pilot, Captain [redacted] NCIS (b)(6), (b)(7)(C) and aircrew were ready to go, I picked them up in a government owned van and we proceeded to the maintenance HAS, where I dropped them off. I am fairly certain I did not drive the mishap aircrew directly [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C)

EXHIBIT (8)

[redacted] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) the aircraft on this date. On this particular occasion, I remember it was Captain NCIS (b)(6), (b)(7)(C) first flight in Italy because he was on the advance party for VMAQ-4. I also remember Captain NCIS (b)(6), (b)(7)(C) had just been promoted to the rank of Captain. I remember this crew was getting ready to do a low level flying mission and in general, all of the pilots enjoyed doing low level flights and I recall the attitude of the mishap crew while in the van to be no different this day. As the driver for the squadron aircrews, flying a low level mission was something I perceived the pilots looked forward to based on various comments I had overheard during my assignment in Italy. I do not remember specific comments made by the mishap crew on 03FEB98 regarding their particular low level mission that day. One thing I do recall about the 03FEB98 flight is that it was going to be a "FAM FLIGHT" or "Familiarization Flight" for Captain NCIS (b)(6), (b)(7)(C). This is where the aircrew assists in getting the new member familiar with a particular flying route NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The pre-flight brief occurs in the Ready Room and is obviously attended by the flight crew for the mission and the On Duty Officer (ODO), who is posted in the Ready Room. One could check the flight schedule for 03FEB98 to find out who the ODO was for that day NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Although I am not certain it was the mishap crew on 03FEB98, although I believe it was someone, I think it was Captain NCIS (b)(6), (b)(7)(C) asked me to go back to the Ready Room in Tent City, Aviano Air Base, for the purpose of picking something up. The first thing that came to my mind is that he had asked me to go back and pick up a video camera battery. After more careful consideration, I believe that occurred on another occasion with a different individual, and on 03FEB98 he (Capt NCIS (b)(6), (b)(7)(C)) had asked me to go back to the Ready Room to pick up 8 mm videotapes. I believe the 8 mm videotapes were a multiple pack, contained in a white in color, bag. It was not a paper bag, but it was a small bag, the type you would get at the Exchange. I cannot recall the name brand of the 8 mm videotapes contained in this bag, but they may have had black and gold in color packaging. I do recall there being more than one (1) 8 mm videotape in the bag, perhaps two (2) or three (3), as I glanced in the bag prior to taking it back out to the flight line. I then recall handing this small bag off to LCPL NCIS (b)(6), (b)(7)(C) USMC, VMAQ-2, who was standing near the edge of the Flight Line next to what we describe as the "clam shell" or temporary hangar for EA-6B Prowlers, Aviano Air Base, Aviano, Italy. I handed this bag to LCPL NCIS (b)(6), (b)(7)(C) and observed LCPL NCIS (b)(6), (b)(7)(C) subsequently take this particular bag to the crew already in the aircraft, although I cannot say I specifically observed or identified any of the mishap crew in the aircraft. I do recall the mishap crew were the only crew who was flying at that particular time on 03FEB98. I would describe LCPL NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) male, approximately NCIS (b)(6), (b)(7)(C) in height, weighing approximately NCIS (b)(6), (b)(7)(C) lbs., with hair very clean shaven. This is all the information I can provide regarding this matter at this time NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) have read over the above statement consisting of this page and others, typed by Special Agent NCIS (b)(6), (b)(7)(C) subsequent to my providing the information to him. I have had opportunity to make any corrections, deletions or additions I desired and to initial same. This statement is the truth to the best of my knowledge and belief. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)  
CPL, USMC

*date: 12 JUN 98 time: 1410*

The above statement has been subscribed to and sworn before me this 12<sup>TH</sup> day of JUNE, 1998 in the U.S. Air Force Office of Special Operations Office, Bldg. 311, at the Incirlik Air Base, Incirlik, Turkey.

NCIS (b)(6), (b)(7)(C) *12 JUN 98 / 1410*

Special Agent  
U.S. Naval Criminal Investigative Service

AUTH: SECNAVINST 5520 of 03JAN93.

NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP  
JUDICIAL PROCESS**

**CCN: 15APR98-0023-0036-7HMS**

INVESTIGATIVE ACTION: RE-INTERVIEW OF LCPL [REDACTED] NCIS (b)(6), (b)(7)(C)

On 15JUN98, at the request of Trial Counsel related to the above cited investigation, LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, was telephonically interviewed by reporting agent from NCISFO Europe, Naples, IT and asked three (3) additional questions. Those questions are as follows:

1. Can LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) recall where inside the Ready Room at VMAQ-4, Aviano Air Base, Aviano, IT, did he actually retrieved the bag containing the 8 mm videotapes?

2. Beside CAP [REDACTED] NCIS (b)(6), (b)(7)(C) the On Duty Officer (ODO) for VMAQ-4, Aviano Air Base, Aviano, IT, does LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) recall if anyone else was inside the Ready Room when he returned to retrieve the videotapes?

3. Who did LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) get the video camera battery for as noted in LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) statement provided to NCIS on 12JUN98 and when did that occur?

Concerning question 1, LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) responded by stating he retrieved the bag containing the 8mm videotapes from a table located inside the Ready Room, Aviano Air Base, Aviano, IT. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated this table is located directly in front of you as you enter the Ready Room and the bag in question was on this table when he walked into the Ready Room.

Concerning question 2, LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) responded by stating he did not know who, beside CAP [REDACTED] NCIS (b)(6), (b)(7)(C) was in the Ready Room, on the date he went back to retrieve the bag containing the videotapes. [REDACTED] NCIS (b)(6), (b)(7)(C) related there are usually other people in the Ready Room at any given time; however, [REDACTED] NCIS (b)(6), (b)(7)(C) indicated he could not identify anyone else in the room at that particular time, other than CAP [REDACTED] NCIS (b)(6), (b)(7)(C)

Concerning question 3, LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) responded by stating he was not sure who or when had asked him from VMAQ-2 to return to

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

the Ready Room, Aviano Air Base, Aviano, IT to retrieve a video camera battery, as indicated in his statement to NCIS, but indicated he thought it was shortly before, perhaps two (2) or three (3) weeks prior, to 03FEB98.

Reporting Agent: [REDACTED] NCIS (b)(6), (b)(7)(C)

Reporting Office: NCISFO Europe, Naples, IT

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**TITLE:** I/MARFOLRANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS

**CCN:** 15APR98-0023-0036-7HMS

**INVESTIGATIVE ACTION:** Results of Evidence Seizure

On 17JUL98, Reporting Agent and Participating Agent received authority from the Italian Judicial authority, Judge [REDACTED] Court of Trento, Italy, to place the Marine Prowler EA6B and the Hangar T-29 under NCIS evidentiary control. At approximately 1515, the Aircraft and a wooden crate containing various aircraft parts were seized from COL [REDACTED] Italian Air Force, Aviano, Italy, and placed under NCIS evidentiary control. Both the aircraft and the wooden crate were maintained in secured Hangar T-29, Aviano Air Force Base, Aviano, Italy.

At approximately 1555, Hangar T-29 containing the aircraft and wooden crate was sealed and secured by Reporting Agent. The entrance door was secured utilizing three metal seals, numbered 62790852, 62790853 and 62790854, NCIS evidence tape and a padlock brand name "American". One key for the padlock, number 25786, was turned over to the Air Force 31<sup>st</sup> Security Department personnel, SSGT [REDACTED] USAF, and SSGT [REDACTED] USAF, for emergency access only to Hangar T-29.

**Participating Agent**

[REDACTED] Special Agent, NCISRU Rome, Italy

**Reporting Agent:** [REDACTED]

**Office:** NCISFO Naples, Italy

EXHIBIT (10)

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS/I**

**CCN: 15APR99-0023-0036-7HMS**

**INVESTIGATIVE ACTION: RESULTS OF SURVEILLANCE OF LEG TWO (2) OF  
ROUTE AV047**

On 09 and 10OCT98, as a result of lead tasking as set forth by Trial Counsel related to above cited investigation, Participating Agent [REDACTED] NCIS (b)(6), (b)(7)(C) and reporting agent conducted a visual surveillance of Leg Two (2) of aircraft route AV047 in Northern Italy. This route originates and ends at the Aviano Air Base, Aviano, Italy.

Utilizing coordinates for Leg Two (2) of aircraft route AV047 as cited in the USMC JAGMAN Investigative Report for the EA-6B mishap of 03FEB98, Major [REDACTED] NCIS (b)(6), (b)(7)(C) Chief of Safety Officer, 31<sup>st</sup> Fighter Wing, USAF, Aviano Air Base, Aviano, Italy, plotted said coordinates on a map of Italy. This was done for purpose of identifying Leg Two (2) of aircraft route AV047 on the map enabling agent's to drive along same. The coordinates utilized by Major [REDACTED] NCIS (b)(6), (b)(7)(C) were numbered seven (7) through twelve (12) as listed for Leg Two (2) in the USMC JAGMAN Investigative Report as cited on page 35, enclosures (1) and (2) pertain.

On 09OCT98, route covered by above agent's is as follows: From the town of Trento (IT), Autostrada route A22, North to Michele all'Adige, then North to route No. 43, to the town of Cles, then South East to route No. 42 which runs to the town of Ponte di Legno. Coordinates numbered eight (8) through twelve (12) traverses just North of the town of Cles proceeding Southeast along route No. 42, to the town of Ponte di Legno as listed on the map. The towns travelled through on 09OCT98 along this route are as follows: Cles, Bozzana, Cassana, Caldes, Terzolas, Male', Croviaza, Pelizzano, Cusiano, the Valley de Peio, Vermiglio, Passo d. Tonale and Ponte di Legno.

On 10OCT98, route covered by above agent's is as follows: From the town of Trento (IT), Autostrada route A22 North to Michele all'Adige, then North to route No. 43 to the town of Cles. Agent's then proceeded to route SP 28 to the town of Cagno in the vicinity of Lake S. Giustina and the towns of Revo and Tregiovo. Agent's then proceeded North along route SP43 to the towns of Lauregno, Castelfondo, Salobbi, Dovenà, and Brez.

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS/I**

**CCN: 15APR98-0023-0036-7HMS**

Agent's proceeded along route No. 42 to the town of Fondo and then to route SS 238 to the towns of S. Felice, Passo Palade, Caprille, Tesimo, Prissano, to the towns of Nalles, Vilpiano, Terlano, Meltina and Frasinetto. (Photographic coverage was conducted on both dates of significant sites along the above routes and is covered in another Investigative Action entitled Results of Photographic Coverage.)

This documents the territory covered along Leg Two (2) of aircraft route AV047 on 09 & 10OCT98.

### ENCLOSURES

- (1) One (1) photocopy of page 35 of USMC JAGMAN Investigative Report on VMAQ-2 EA-6B Mishap of 03FEB98/10MAR98.
- (2) One (1) photocopy of Touring Club Italiano map depicting the Trentino Alto Adige area with Leg Two (2) coordinates of route AV047 highlighted on same/ Undated.

**Agent's Note: Original Enclosure number 2 was forwarded directly to the USMC Trial Counsel, Camp LeJeune, NC for trial purposes. Due to exigent circumstances enclosures were forwarded prior to being photocopied.**

### Participating Agent

NCIS (b)(6), (b)(7)(C) IOS, NCISFO Europe, Naples, IT

**Reported by:** NCIS (b)(6), (b)(7)(C)

**Reporting Office: NCISFO Europe, Naples, IT**

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RECORD TAPE DATA

POINT	TIME	LAT/LONG	ALTITUDE	ESTIMATED
	(ADJUSTED)		(MSL)	(min-max)
	(LOCAL)			ALTITUDE(AGL)
1	1437:43	4602.0N/01236.0E	677'	Take off T/O-
2	1440:40	4619.3N/01243.7E	13161'	8000-9000' BEGIN
3	1441:36	4625.7N/01244.2E	10288'	5000-6000' AV047
4	1442:20	4628.0N/01235.7E	6976'	0-1000'
5	1445:08	4640.2N/01211.0E	7810'	0-3300'
6	1446:48	4645.5N/01154.2E	4686'	0-1600' 1 <sup>st</sup> LEG
7	1449:35	4640.2N/01122.6E	4836'	0-1300'
8	1452:45	4621.7N/01056.9E	2723'	0-721'
9	1453:18	4619.1N/01051.2E	3755'	0-1200'
10	1453:29	4618.7N/01049.2E	3550'	21-763'
11	1453:52	4618.1N/01044.7E	3882'	42-900'
12	1454:59	4614.8N/01031.7E	7227'	0-2700' 2 <sup>nd</sup> LEG
13	1455:43	4610.1N/01029.5E	12096'	436-1479'
14	1457:24	4555.4N/01030.5E	8865'	1700-2664'
15	1459:37	4537.5N/01020.6E	4520'	527-2895'
16	1503:43	4503.2N/01026.8E	964'	856-882' 3 <sup>rd</sup> LEG
17	1504:05	4506.3N/01028.5E	1156'	1064-1074'
18	1504:27	4509.1N/01029.7E	1218'	1110-1130'
19	1507:14	4529.7N/01042.0E	2189'	1976' 4 <sup>th</sup> LEG
20	1507:58	4535.2N/01040.7E	5035'	4583-4860'
21	1508:21	4538.2N/01041.7E	5188'	3388-4975'
22	1510:12	4552.7N/01050.9E	5103'	1878-4950' 5 <sup>th</sup> LEG
23	1510:57	4558.7N/01054.5E	1586'	0-800'
24	1511:19	4602.0N/01055.9E	1505'	0-736'
25	1511:41	4604.3N/01058.9E	1863'	0-885'
26	1512:04	4606.1N/01102.0E	3771'	1375-2094'
27	1512:26	4608.8N/01104.8E	1707'	1030'
28	1512:48	4611.8N/01107.0E	1361'	689'
29	1513:10	4613.8N/01110.3E	1387'	700'
30	1513:44	4615.1N/01116.6E	6488'	2478-4388'
31	1514:06	4615.1N/01121.2E	3667'	157-1671' 6 <sup>th</sup> LEG
32	1514:17	4615.5N/01123.6E	3651'	299-1211' mishap
33	1514:28	4616.1N/01125.8E	3677'	477-1172' leg

*Note: Points 19, 27, 28, 29 were over flat ground with no significant change in the ground elevation. Thus the maximum and minimum AGL altitude is one altitude, vice a range of altitudes.*

708. Analysis of the AWACS data and the EA-6B mission record tape data indicates that there was a base time difference between the two sources of approximately 2 minutes.

1-2

EA-6B ROUTE CARD TRACK: 64 - AV 047 LOW LEVEL

CALL SIGN	A/C NO	DATE
NCIS (b)(6), (b)(7)(C)		04/01/97
		T/O TIME 645
		ETE 0+52+22
		LND TIME 0737 0830
		ALT 500
		T/O FUEL 19.3
LIPA PG 19, GEHDI PG139, VILLAFRANCA PG 478		ATIS - 19 CLR - 1
		GND - 2 TWR - 3

115 -230  
 270 +240  
 MB 132  
 MA 138 7630  
 145 +820  
 f/o 150 3400

ROUTE	ID	MHDG	ETE	ETA	EFR	EFL	LAT	TT	ALT
TO	REQ	DIST	ATE	ATA	AFR	AFL	NTP	ELEV	VAR
LIPA					01.0	18.4	46 01.9N		
							0 012 35.8E		1E
							413		
PT A		011	3+41	0+03+41	00.7	17.7	46 27.0N		500
							1 012 44.0E		
AMPEZZO		25.8					413		1E
PT B		299	5+46	0+09+27	01.1	16.6	46 47.0N		500
							2 011 53.0E		
BRUNICO		40.4					413		1E
PT C		240	9+13	0+18+40	01.7	14.9	46 16.0N		500
							3 010 31.0E		
PONTE DI LEGNO		64.5					413		0W
PT D		183	11+10	0+29+50	02.1	12.8	44 58.0N		2000
							4 010 25.0E		
CASALM'		78.2					413		0W
PT E		023	4+21	0+34+11	00.8	12.0	45 26.0N		2000
							5 010 42.0E		
LAGO DI GARDA		30.5					413		0W
PT F		015	3+51	0+38+02	00.7	11.3	45 52.0N		2000
							6 010 52.0E		
RIVA		27.0					413		0W
PT G		049	7+36	0+45+38	01.4	09.9	46 26.0N		2000
							7 011 51.0E		
MONTE MARMOLAD		53.3					413		1E
O	LIPA	126	6+44	0+52+22	00.9	09.0	46 01.9N		3000
							8 012 35.8E		
AVIANO AB		39.3					413		1E

NCIS (b)(6), (b)(7)(C)

ENCLOSURE (2)

TOTAL DISTANCE: 358.8 NM TOTAL TIME: 0 hr, 52 min, 22 sec





000060







000063

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**TITLE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP  
JUDICIAL PROCESS/I  
CCN: 15APR98-0023-0036-7HMS**

**INVESTIGATIVE ACTION: RESULTS OF PHOTOGRAPHIC COVERAGE**

On 09 and 10OCT98, as a result of lead tasking as set forth by Trial Counsel related to above cited investigation, Participating Agent [redacted] NCIS (b)(6), (b)(7)(C) and reporting agent conducted photographic coverage of various sites along Leg Two (2) of aircraft route AV047 located in Northern Italy. This route originates and ends at the Aviano Air Base, Aviano, Italy.

Utilizing coordinates cited in the USMC JAGMAN Investigative Report for Leg Two (2) of route AV047 as flown by the EA-6B mishap aircrew on 03FEB98, Major [redacted] NCIS (b)(6), (b)(7)(C) Chief of Safety Officer, 31st Fighter Wing, USAF, Aviano Air Base, Aviano, Italy, plotted said coordinates on a map of Italy. This was done for purpose of identifying Leg Two (2) of aircraft route AV047 on the map enabling the above agent's to drive along same. The coordinates utilized by Major [redacted] NCIS (b)(6), (b)(7)(C) were numbered seven (7) through twelve (12) as listed for Leg Two (2) in the USMC Jagman Investigative Report as cited on page 35, enclosures (1) and (2) pertain. On 09OCT98, [redacted] NCIS (b)(6), (b)(7)(C) and reporting agent covered coordinates twelve (12) through eight (8), and photographed various scenes along said route. On this date all photographs were taken with a Nikon brand, model FM2, 35 mm camera, utilizing a 50 mm lens, available light and Kodak Gold 400 ASA film. The weather conditions on this date were overcast with a slight rain. Photographs numbered one (1) through nine (9) depict a 360 degree panoramic overview highlighting a ski resort taken in the town of Passo d. Tonale, (IT), a town located along Leg Two (2) of route AV047.

Shot #	F Stop	Direction	Photograph Depicted
1	8	North	Ski lift-Passo d. Tonale (P.d.T.)
2	11	North	Ski lift-Passo d. Tonale
3	8	NorEast	Ski lift-Passo d. Tonale
4	11	East	Ski school-Passo d. Tonale

M FSS I NG  
7 Photos (enclosure 3)  
11/18/18  
accounted for

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EXHIBIT (12)

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

5	8	East	Rt. 42-Passo d. Tonale
6	8	South	Mountain Ridge across from ski lift P.d.T.
7	11	South	Mountain Ridge across from ski lift P.d.T.
8	11	West	Military monument loc. near ski lift-P.d.T.
9	8	West	Military monument near ski lift- P.d.T.
10	8	West	Town sign for Passo d. Tonale
11	5.6	West	Town sign for Passo d. Tonale
12	5.6	East	View of valley looking east-P.d.T.
13	8	East	View of valley looking east-P.d.T.
14	5.6	North	Overview of town of Ponte d. Legno
15	4	North	Overview of town of Ponte d. Legno

Photographs 16, 17, and 18 were taken on 10OCT98, utilizing the same photographic equipment and film as described above with sunny to partly cloudy weather conditions.

16	22	East	Overview of Lake S. Giustina taken 3 km south of the town of Cagno
17	22	East	Overview of Lake S. Giustina taken 2 km south of the town of Cagno
18	16	East	Overview of Lake S. Giustina taken 2 km south of the town of Cagno

Enclosure (3) includes one (1) Photograph Log Sheet and photographs numbered one (1) through eighteen (18).

### Enclosures

(1) One (1) photocopy of page 35 of USMC Jagman Investigation

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

- Report on VMAQ-2 EA-6B Mishap of 03FEB98/10MAR98  
(2) One (1) Touring Club Italiano map depicting the Trentino Alto Adige area with Leg Two (2) coordinates of route AV047 highlighted on same/undated

*for enclosures 1-2 see exhibit (11)*

Participating Agent

NCIS (b)(6), (b)(7)(C) IOS, NCISFO Europe, Naples, Italy

Reported by: NCIS (b)(6), (b)(7)(C)

Reporting Office: NCISFO Europe, Naples, Italy

**AGENT'S NOTE:** Original enclosure 2 was forwarded directly to the Marine Trial Counsel, Camp LeJeune, NC, for trial purposes. Due to the exigent nature of the material, the enclosures were forwarded prior to being photocopied

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000067



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000071



000072



000073



000074



000075

passo  
del Tonale  
m 1884 s. l. m.

60

rallentare  
lavori  
in corso



19 97/98

PREISLISTE - LIFTKARTEN  
LISTINO PREZZI - IMPIANTI DI RISALITA

	Erwachsene Adulti	Senioren ab 60 J. Seniores oltre 60 anni	Kinder bis 14 J. Bambini fino a 14 anni
Kabinenbahn Bergi Salita cabinovia	6.000	5.500	4.000
Kabinenbahn Talfahrt Discesa cabinovia	5.000	4.500	3.500
Kabinenb. hin und retour Andata e ritorno Cabinovia	10.000	9.000	7.000
Angerlift / Skilift Anger	1.500	1.500	1.000
Tageskarte ab 8:30 Giornaliero dalle 8:30	30.000	26.000	20.000
Tageskarte ab 11:00 Giornaliero dalle 11:00	25.000	22.000	17.000
Halbtageskarte ab 13:00 Pomeridiano dalle 13:00	20.000	18.000	14.000
Halbtageskarte ab 14:30 Pomeridiano dalle 14:30	15.000	14.000	11.000
Vormittagskarte v. 8:30-12:00 1/2 giornata dalle 8:30-12:00	22.000	20.000	15.000
Saisonskarte/Stagionale	320.000	270.000	210.000
Saisonskarte Studenten Stagionale studenti	260.000	/	/

19 97/98

PREISLISTE - DAUERKARTEN  
LISTINO PREZZI - BIGLIETTI SETTIMANALI

	Erwachs. Adulti	Kinder bis 14 J. Bamb. fino a 14 anni	Erwachs. Adulti	Kinder bis 14 J. Bamb. fino a 14 anni
2 Tage/giorni	58.000	38.000	57.000	37.000
3 Tage/giorni	85.000	56.000	80.000	53.000
4 Tage/giorni	109.000	73.000	102.000	68.000
5 Tage/giorni	132.000	89.000	121.000	81.000
6 Tage/giorni	153.000	105.000	138.000	93.000
7 Tage/giorni	173.000	119.000	154.000	104.000
8 Tage/giorni	192.000	132.000	169.000	114.000
9 Tage/giorni	211.000	143.000	183.000	124.000
10 Tage/giorni	228.000	154.000	197.000	134.000
11 Tage/giorni	245.000	164.000	210.000	143.000
12 Tage/giorni	261.000	174.000	222.000	151.000
13 Tage/giorni	277.000	183.000	234.000	159.000
14 Tage/giorni	292.000	192.000	246.000	166.000
15 Tage/giorni	306.000	200.000	258.000	173.000

Hauptseason/Alta Stagione: 20.12.97 - 6.1.98, 14.2.98 - 1.3.98  
Zwischens./Bassa Stag.: bis/fino a 20.12.97, 7.1. - 14.2.08, 1.3 - 17.4.98



1 Privatstunde 1 ora di lezione Ski + Snowboard	pro Person per una persona jede weitere Person per ogni persona aggiunta	50.000 10.000
6 Tage Skikurs in der Gruppe Corso di 6 giorni in gruppo	2 St. pro Tag (Erwachsene) 2 ore al giorno (adulti) 2 St. pro Tag (Kinder) 2 ore al giorno (bambini) Schülergruppen gruppi scolastici	140.000 120.000 auf Anfrage a richiesta
6 Tage Snowboardkurs Corso di 6 giorni		150.000
Skibindergarten 6 Tage (bis zu 5h) 6 giorni (fino a 5 ore)		230.000

PREISLISTE  
LISTINO PREZZI

Nur eine halbe Stunde mit dem Auto von Bozen entfernt, liegt Reinswald am Ende des idyllischen Sarntales. Ob mit Ski, Snowboard, Rodel oder zu Fuß, Reinswald bietet ein Wintererlebnis für die gesamte Familie. Durch moderne Beschneiungsanlagen werden allen Ski- und Snowboard-Begeisterten beste Pisten geboten. 3 Lifтанlagen und eine ganz neue 6-er Gondel bringen Sie in wenigen Minuten auf über 2.000 Höhe. Keine Wartezeiten und keine Kälte zum Genießen des einzigartigen Panoramas. Hüttenerlebnis und Gastfreundschaft sorgen für beste Erholung.

Reinswald si trova al termine della bellissima Val Sarentino, a mezz'ora di automobile da Bolzano. A Reinswald trascorrerete una vacanza completa, ideale per tutta la famiglia, praticando le attività che preferite: dallo sci allo snowboard, dallo slittino alle escursioni. Gli impianti di risalita e la nuova cabinovia da sei posti, vi trasporteranno in pochi minuti ad oltre 2.000m. Senza attese e senza il fastidio del freddo, potrete godervi un panorama unico. Gli impianti di innevamento e le piste preparate a regola d'arte, vi entusiasmeranno. Lo splendido paesaggio, l'aria salubre e la generosa ospitalità della Val Sarentino, vi attendono per rinfrancarvi al meglio.

Skigebiet Reinswald  
Auskünfte im Tourismusbüro: Tel.+Fax: 0471-623091  
Reinswalder Lift: Tel.: 0471-625132  
Per informazioni: Ass. Turistica Tel.+Fax: 0471-623091



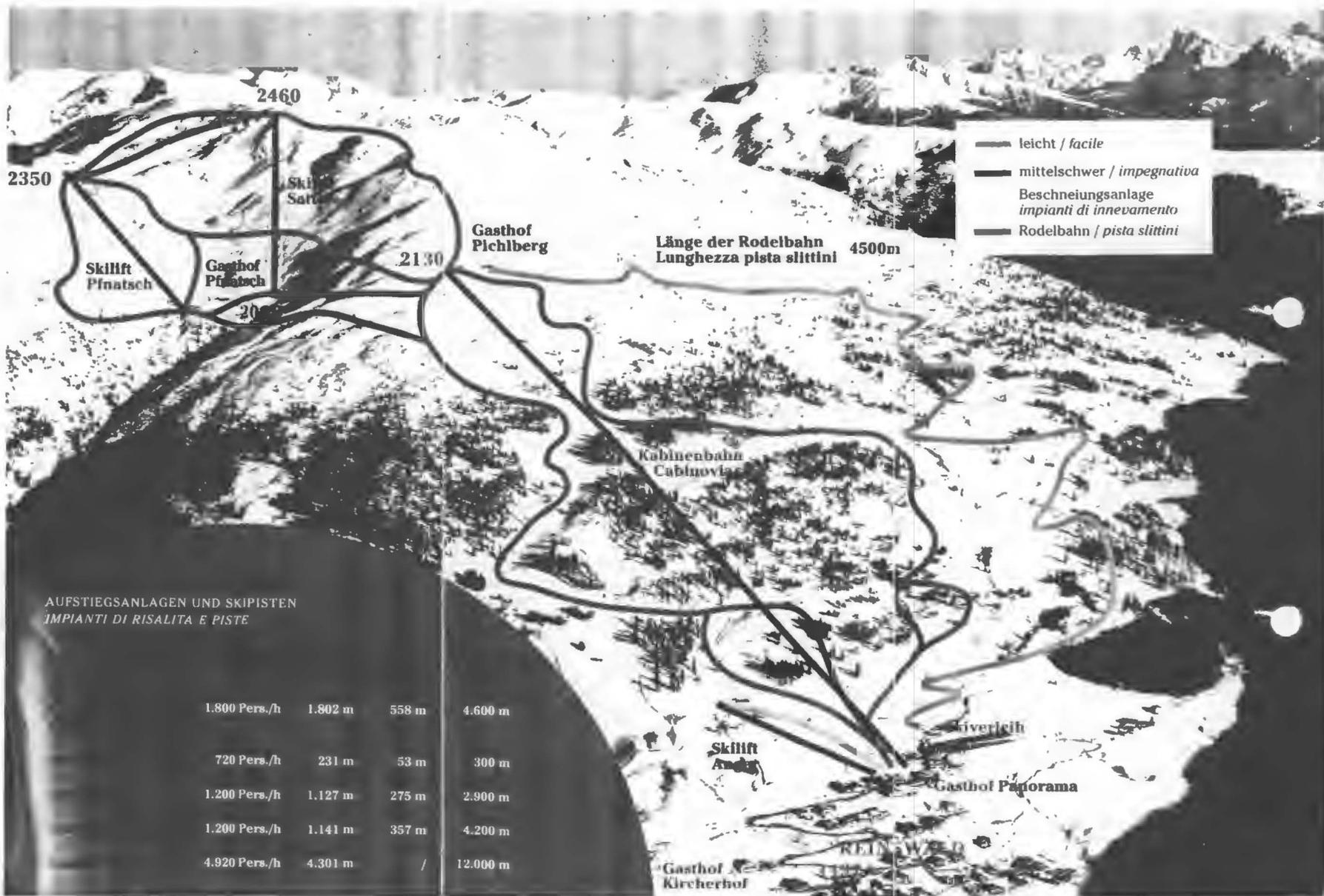
Occasione



Vergnügen pur.  
Divertimento puro.

SKIGEBIET / CENTRO SCIISTICO 1570-2460m

Raiffeisen. Die Bank. La banca.



# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**TITLE:** I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

**CCN:** 15APR98-0023-0036-7HMS

## **INVESTIGATIVE ACTION:** RESULTS OF ROUTE SURVEY

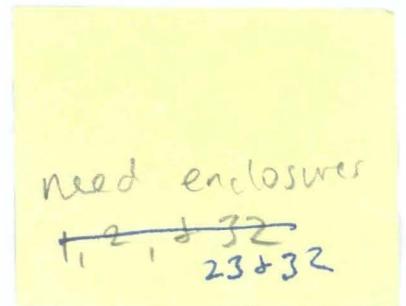
On 10OCT98, Reporting Agent and Participating Agents conducted a route survey of the northern portion of leg 2 of flight route AV047. The survey was conducted to identify landmarks and the general terrain features for the northern portion of leg 2. The survey team attempted to survey as many areas as possible that could be accessed by vehicle. The survey started at the town of Reinswald and culminated at the town of Meltina.

## **TOWNS SURVEYED**

### **A) REINSWALD**

Reinswald is a ski resort area with small hotels and villa type homes. A brochure and map were obtained and are appended as enclosures (1) and (2). Photographic coverage was provided for the area and the photos are appended as the following enclosures:

- (3) Picture of Reinswald sign
- (4) Housing for ski lift
- (5) Left part of sign
- (6) Close up of map
- (7) Right side of sign
- (8) Close up of map
- (9) East view of ski lift
- (10) East view towards top of ski lift
- (11) West view from ski lift area to valley
- (12) West view from ski lift area to valley



### **B) ASTFELD**

Astfeld is a small village with chalet type homes and small hotels.

### **C) VILLA NORDHEIM**

Villa Nordheim is a small village with chalet type homes and small hotels.

### **D) SARENTINO**

Sarentino is a small village with chalet type homes and small Hotels, farms, pastures and a small castle. The town center consists of more townhouse chalet type of houses. Sarentino is located in a valley area. Photographic coverage of the area was provided and the photos are appended as the following enclosures:

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (13) East view of town
- (14) North view of town
- (15) West view of town
- (16) South View of town
- (17) Northwest view of town
- (18) Southeast view of town
- (19) Southwest view of town

## E) KAMPIDELL

No signs for Kampilidell could be found. A conglomeration of a few homes and buildings and utilizing the map gave an approximation for the town. Photographic coverage of the area was provided and the photos are appended as the following enclosures:

- (20) View of sign towards valley
- (21) South view towards valley

## F) AREA HALF WAY BETWEEN MELTINA AND KAMPIDELL

No town signs for this area existed. A photo was taken of an area map posted on a billboard type sign along the roadway. The photo is appended as enclosure (22).

## G) MELTINA

Meltina is a ski resort town with small hotels and chalet type homes, and operates a cable car system. A brochure for Meltina was obtained and is appended as enclosure (23). Photographic coverage of the area was provided and the photos are appended as the following enclosures:

- (24) South view of Meltina
- (25) Telephoto south view of Meltina
- (26) Southeast view of Meltina
- (27) View of cable car
- (28) View down cables
- (29) View of map
- (30) View down left cable
- (31) View down right cable

All photographs were taken with an Olympus SuperZoom 3000 35mm camera utilizing 400 asa film. A copy of the map utilized as a guide for accessing these areas is appended as enclosure (32).

## Enclosures

- 1. Reinswald brochure
- 2. Reinswald map and brochure
- 3 - 12. Photos for Reinswald
- 13 - 19. Photos for Sarentino
- 20 - 21. Photos for Kampilidell

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# U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- 22. Photo taken in area between Kampidell and Meltina
- 23. Meltina brochure
- 24 - 31. Photos for Meltina
- 32. Copy of map utilized for route survey

## Participating Agents

NCIS (b)(6), (b)(7)(C)

l Agent, NCISFO Naples, Italy

IOS, NCISRA Sigonella, Italy

REPORTED BY: NCIS (b)(6), (b)(7)(C)

OFFICE: NCISRA NAPLES, ITALY

**AGENT'S NOTE:** Original enclosures 1, 2, 23, 32, were forwarded directly to the Marine Trial Counsel, Camp LeJeune, NC, for trial purposes. Due to the exigent nature of the material, the enclosures were forwarded prior to being photocopied.

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**TITLE:** I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS

**CCN:** 15APR98-0023-0036-7HMS

ENCLOSURE 3



**WARNING**

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

ENCLOSURE 4



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TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
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ENCLOSURE 5



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS

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ENCLOSURE 6



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TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
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ENCLOSURE 7



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**TITLE:** I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
MISHAP JUDICIAL PROCESS

**CCN:** 15APR98-0023-0036-7HMS

ENCLOSURE 8



WAN  
SEN  
WAN  
SEN  
WAN  
SEN  
WAN  
SEN  
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MISHAP JUDICIAL PROCESS

**CCN:** 15APR98-0023-0036-7HMS

ENCLOSURE 9



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

**TITLE:** I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO  
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ENCLOSURE 10



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ENCLOSURE 11



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MISHAP JUDICIAL PROCESS

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ENCLOSURE 12

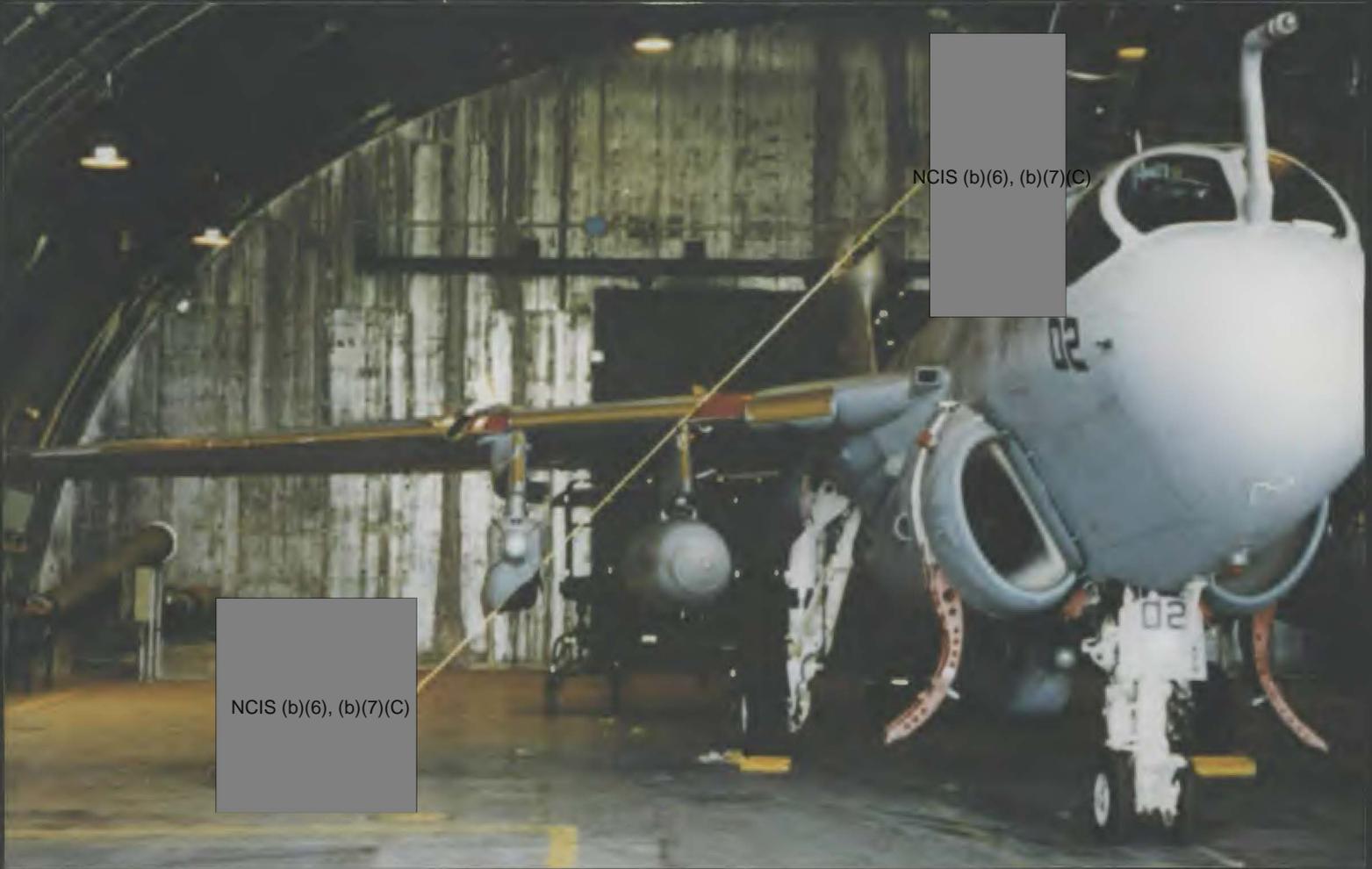


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NCIS (b)(6), (b)(7)(C)

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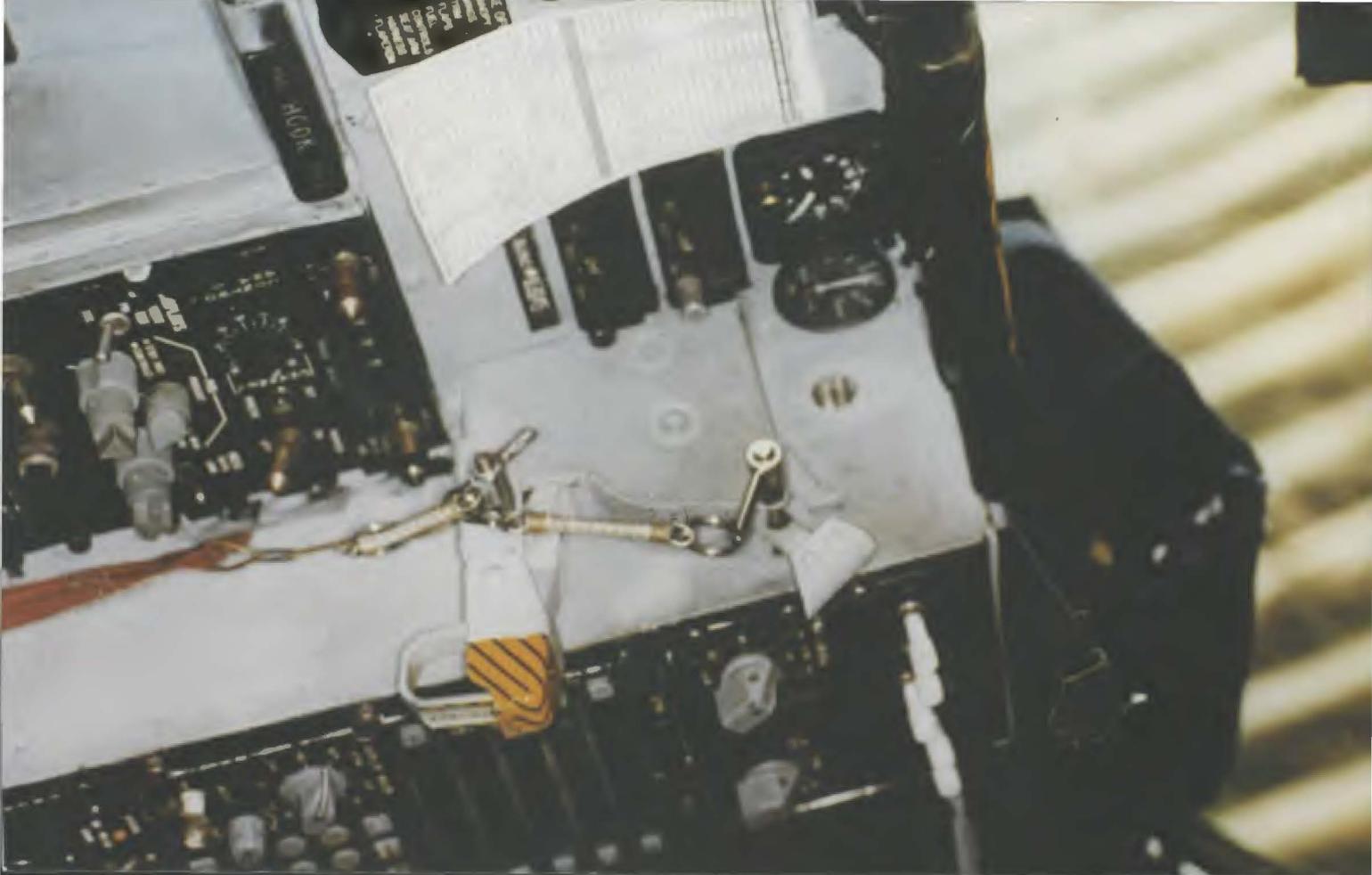
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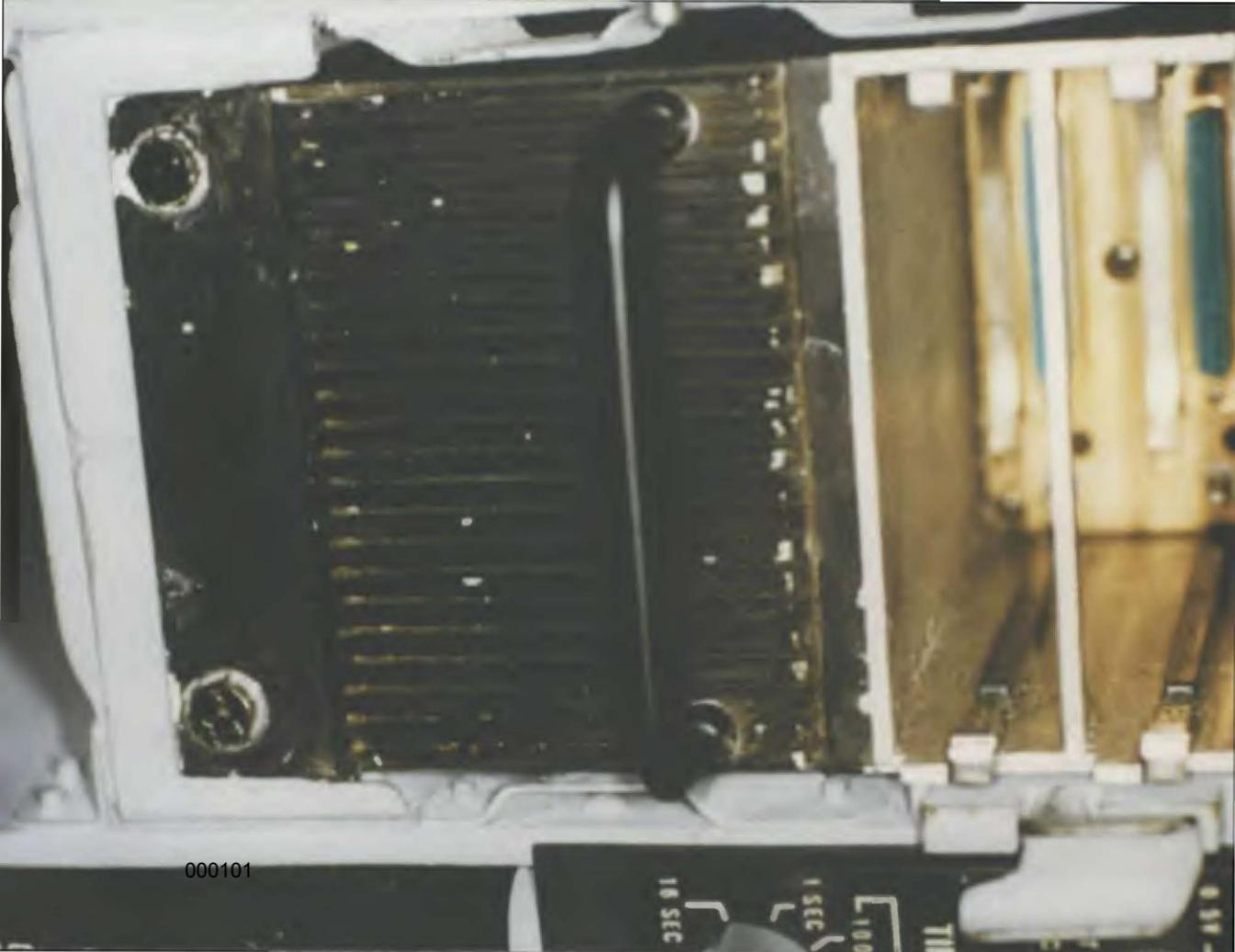
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PLAYBOYS AVIANO (LIPA) LOCAL PRESET Q1/98

CH	AIRPORT	FREQ	B	C	V
1	GLENNING	134.133			
1	ORCONO	312.650			122.10
1	TORRES	259.05	257.8		142.65
4	DEPARTURE	306.675			134.10
5	PADOVA (D)	255.15	344.1		129.875
6	PADOVA (W)	291.15			123.30
7	APRONCHI	360.775	362.50		292.75
8	ARRIVAL	344.00			121.10
9	SVA	252.525			140.42
10	GCA	375.325			
11	GCA	371.15			
12	GCA	357.00			
13	MAGIC (G25A)	328.5	315.25	343.3	
14	COASTLINE (20A)	249.40	247.75	342.45	
15	HOOKSHIELF (20A)	262.225	261.4	341.75	127.45
16	ARCC/ALW (27A)	118.675	241.5	172.50	138.8
17	EW TRHT WARK (20A)	51.25	292.75	183.225	130.225
18	SQP YANKEE OPS	240.15			140.25
19	ATIS	240.15			129.30
20	PLAYBOYBASE	240.15			
NATO ZAGREB					
COMANDANT JANS					
BASE OPS					
WEATHER-METRO					
PURPOSES					
PUSH	ALPHA	BRAVO	CHARLIE/A	CALL C/LIN	
31	364.9	352.450		CALL C/RTCY INTDIAL	
100	294.7			CALL C/RTCY INTDIAL	
200	354.425	270.1		ALPH AND BTRM PLANE	
201	141.725	140.950		ALPH AND BTRM PLANE	
218	277.521	257.1	275.250	BRNBY C/RTCY	
229	302.150	362.871	360.420	REPORT ALR C/RTCY	
231	258.4	209.6	342.900	AAA	
232	315.550	287.290	282.900	AAA	
233	296.6	344.1	382.010	AAA	
234	183.050	316.330	317.010	AAA	
235	294.8	240.450	287.910	AAA	
236	380.550	248.3	282.900	AAA	
237	298.1	315.9	312.900	AAA	
238	134.3	142.725		TANDEM	

PRC 112 FREQS      PUSH A 260.650      PUSH B 270.250

OFF  
PY  
S  
S  
ROLL  
AFIN  
JESS  
PERON



000101

18 SEC

1 SEC

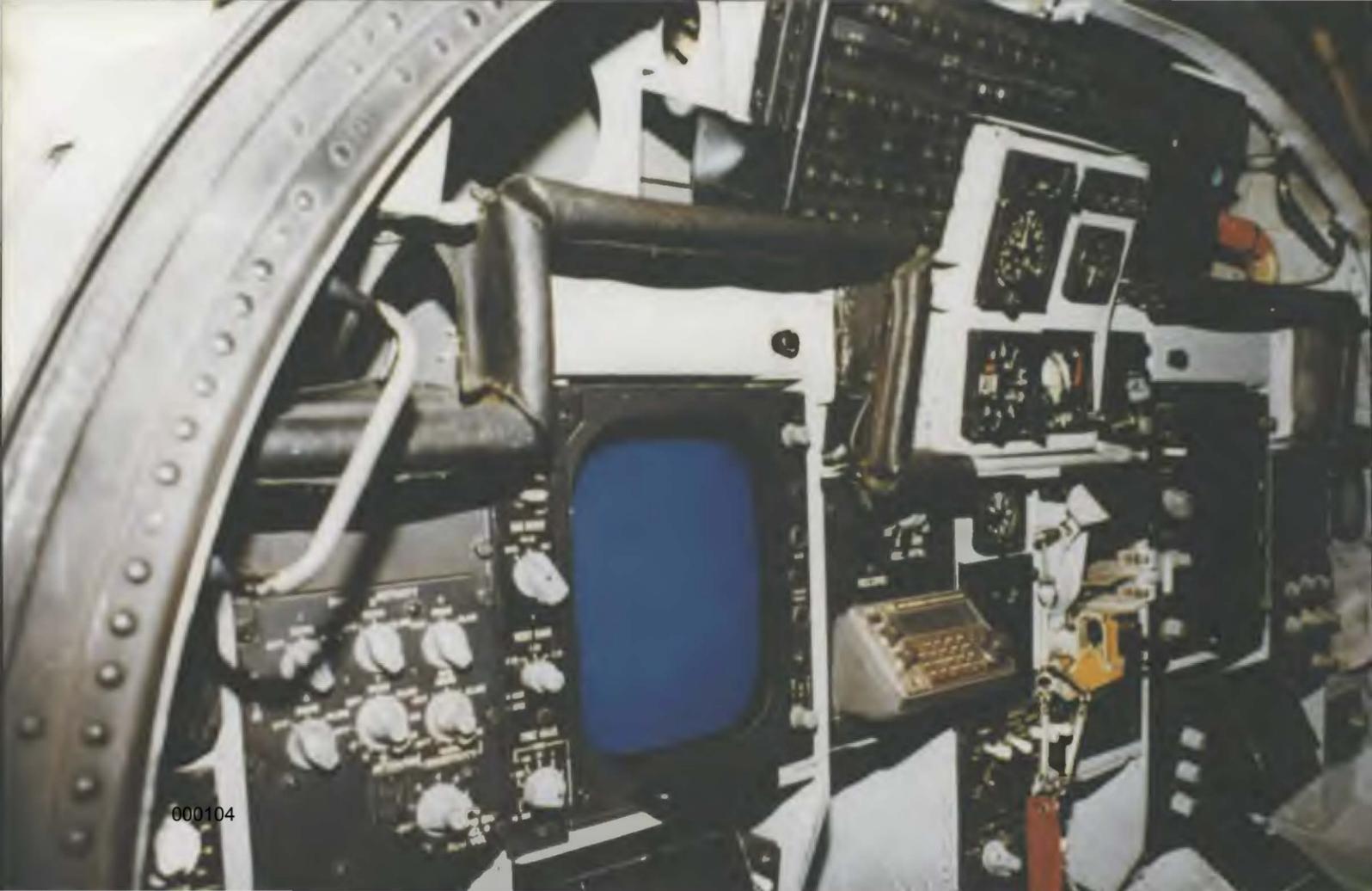
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TIME

000102



000103



000104

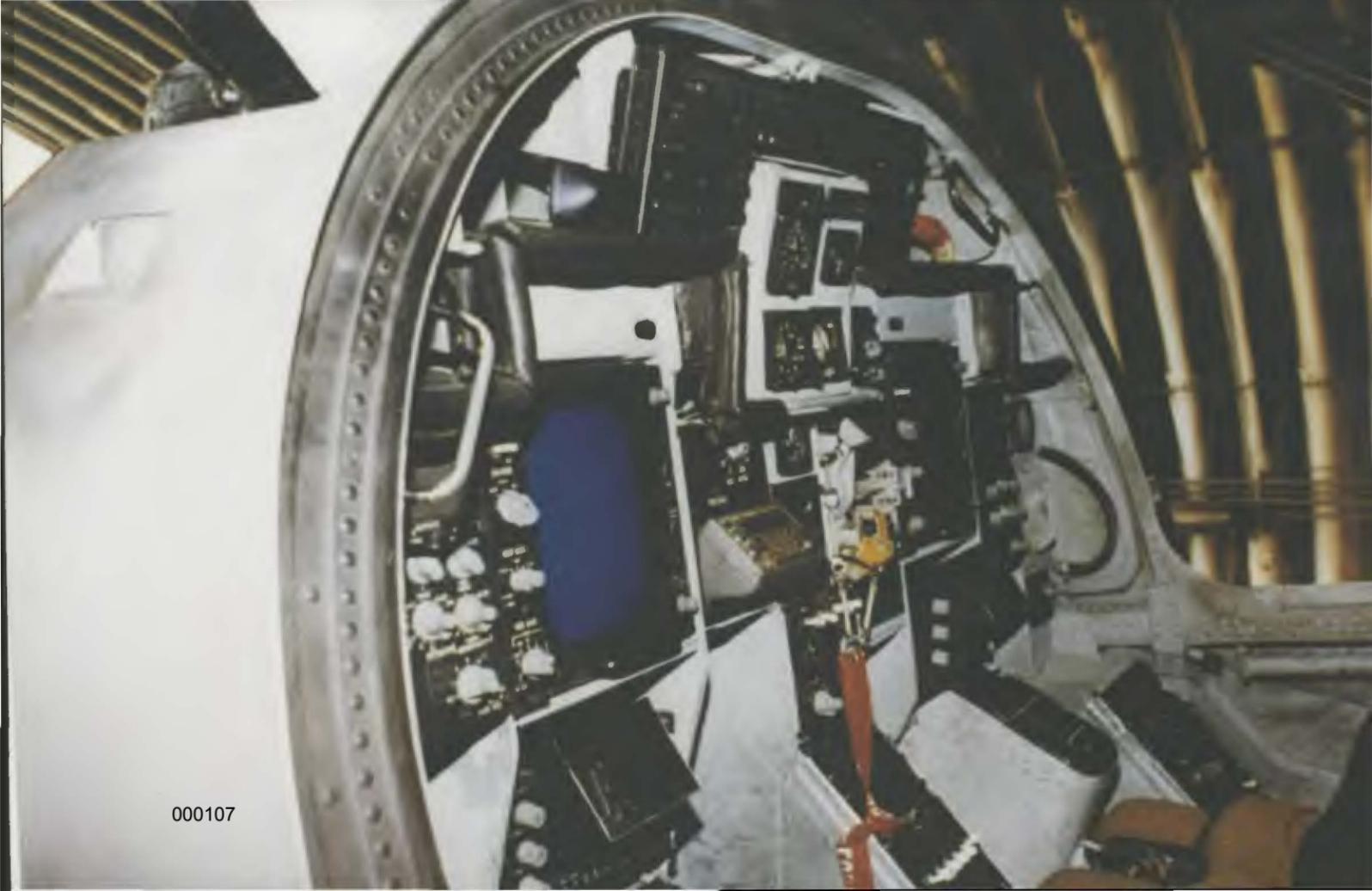


5/10000  
FUEL-FUEL  
FLAPS  
AUTOPILOT  
FLAPERON

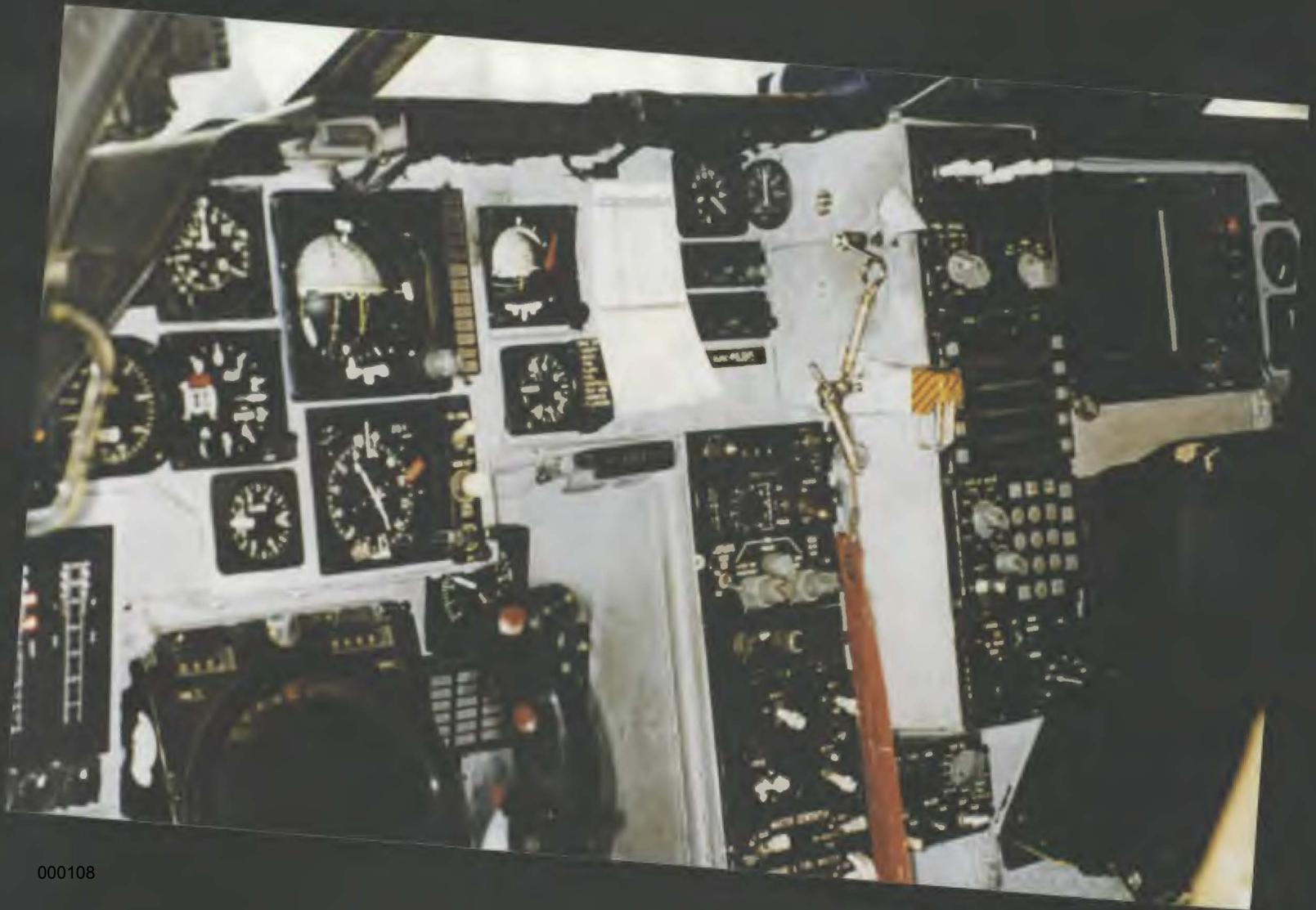
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000106



000107



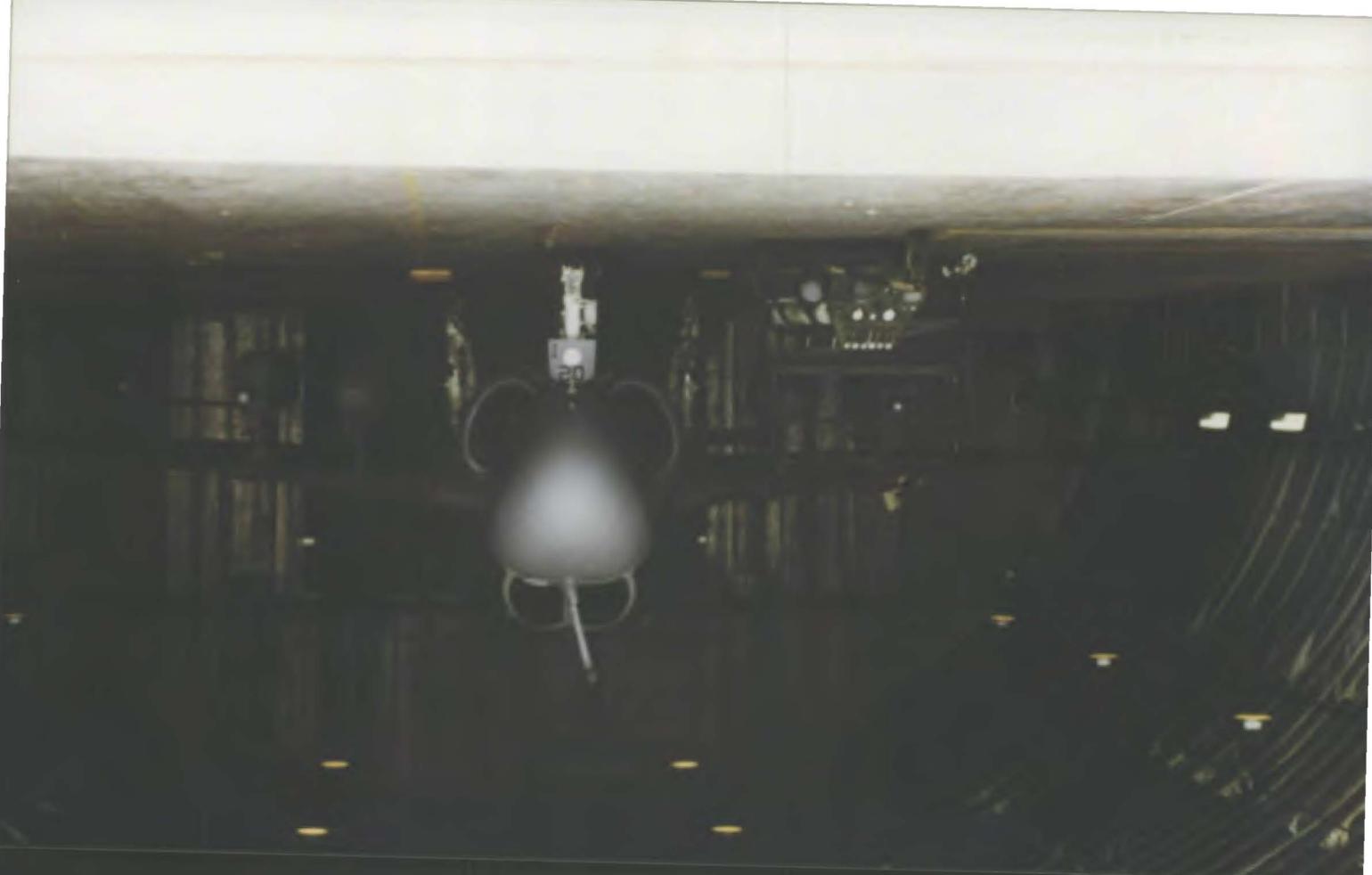
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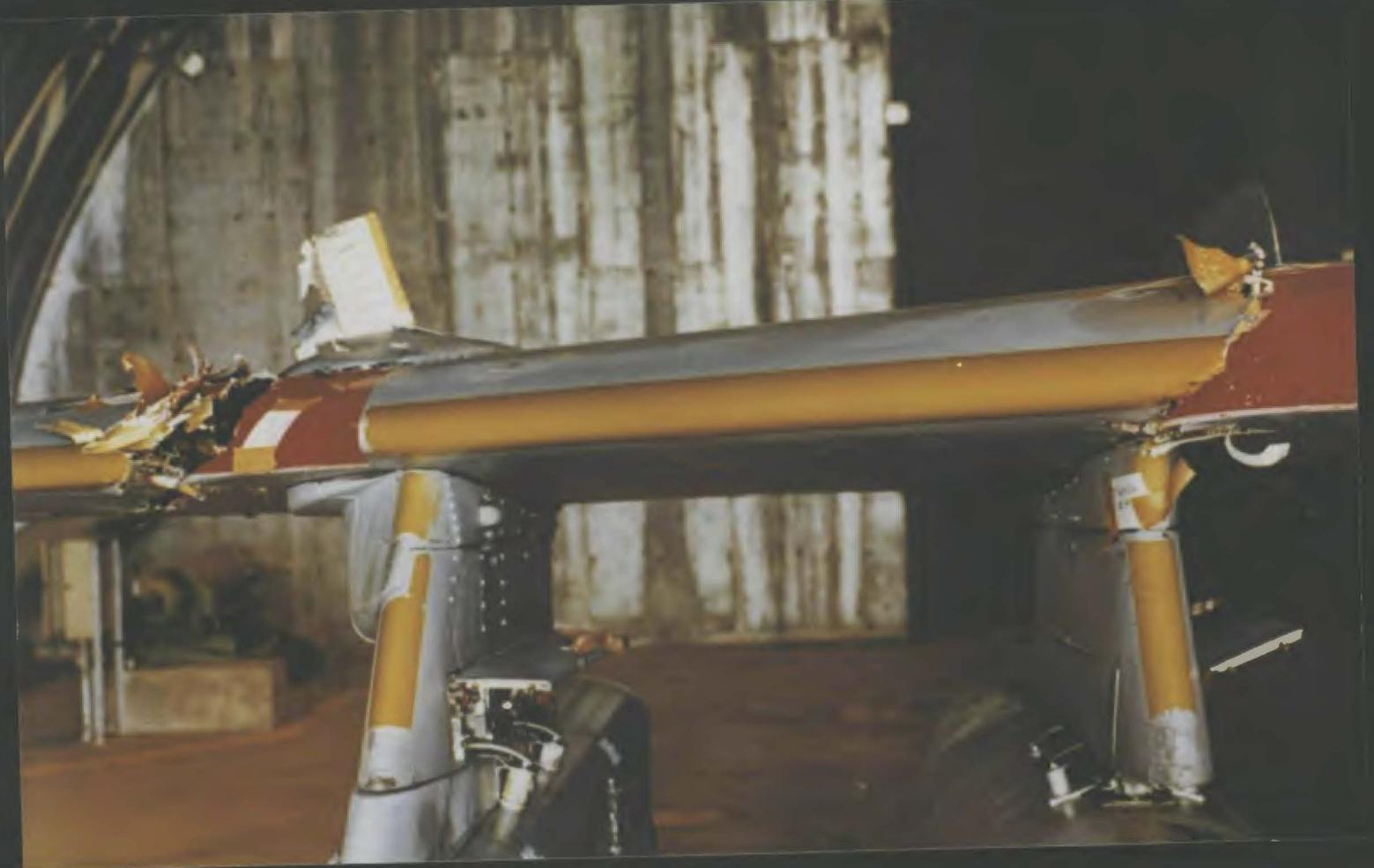
8320

T 29





000114



000115

DEPARTMENT OF THE NAVY

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

000116

ENCLOSURE ( 1 )

115



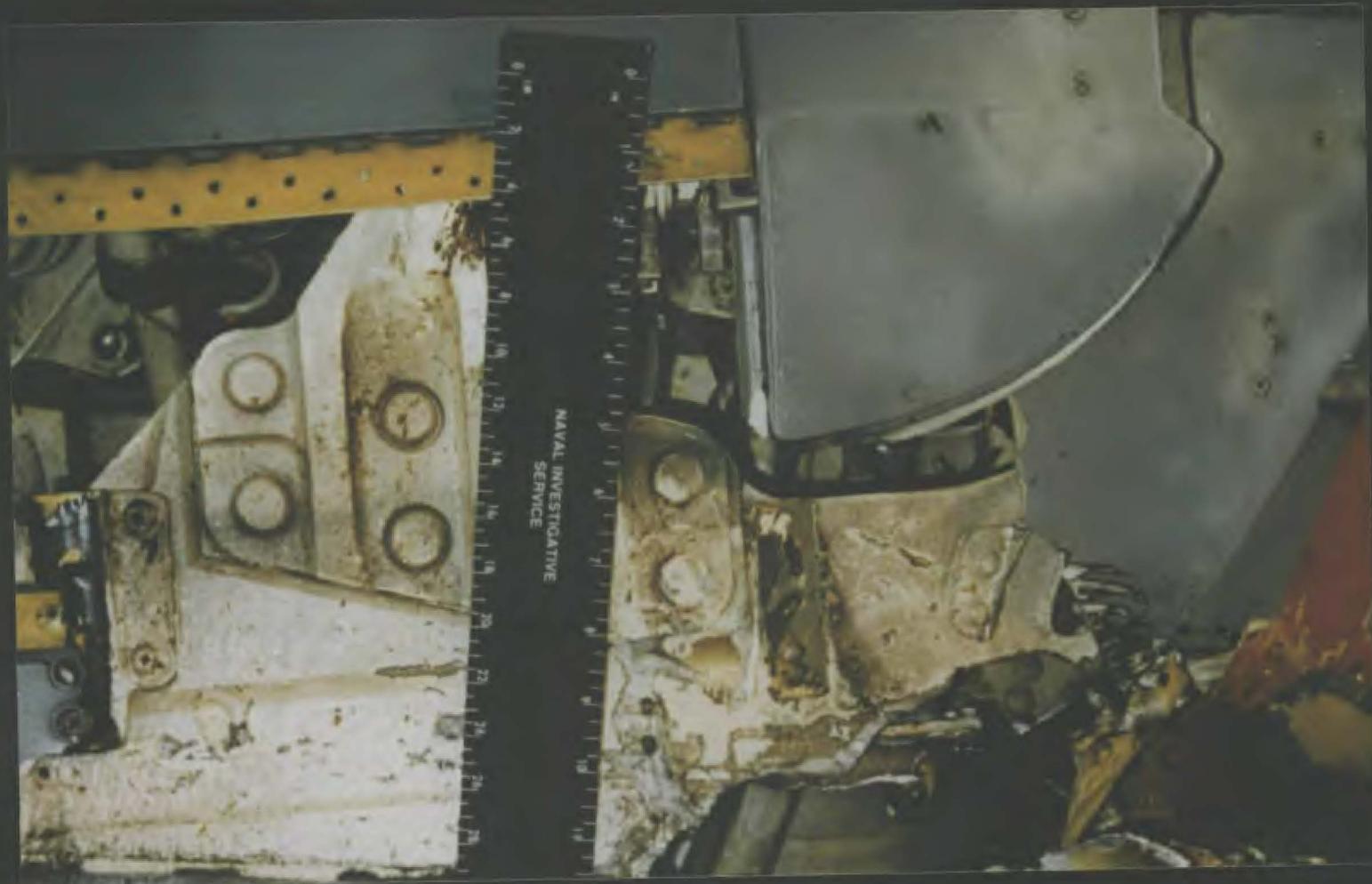
000117



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000122



000123

WING STA  
~~153~~  
163

NAVAL INVESTIGATIVE  
SERVICE

000124



WING STA  
153  
163

NAVAL INVESTIGATIVE  
SERVICE



000126



NAVAL INVESTIGATIVE  
SERVICE

000127

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115

ENCLOSURE (2)

000128



000129



000130



000131



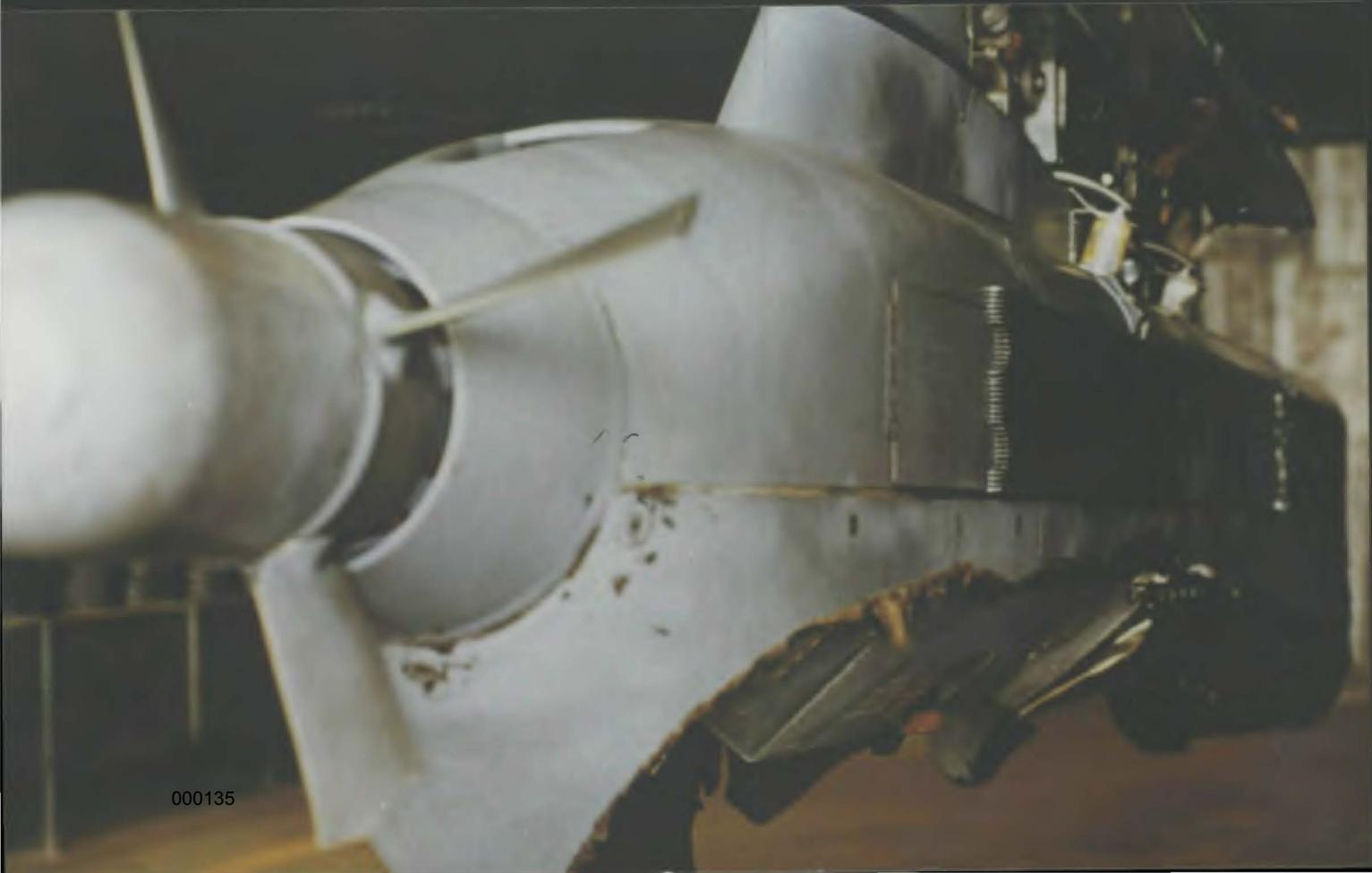
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000135



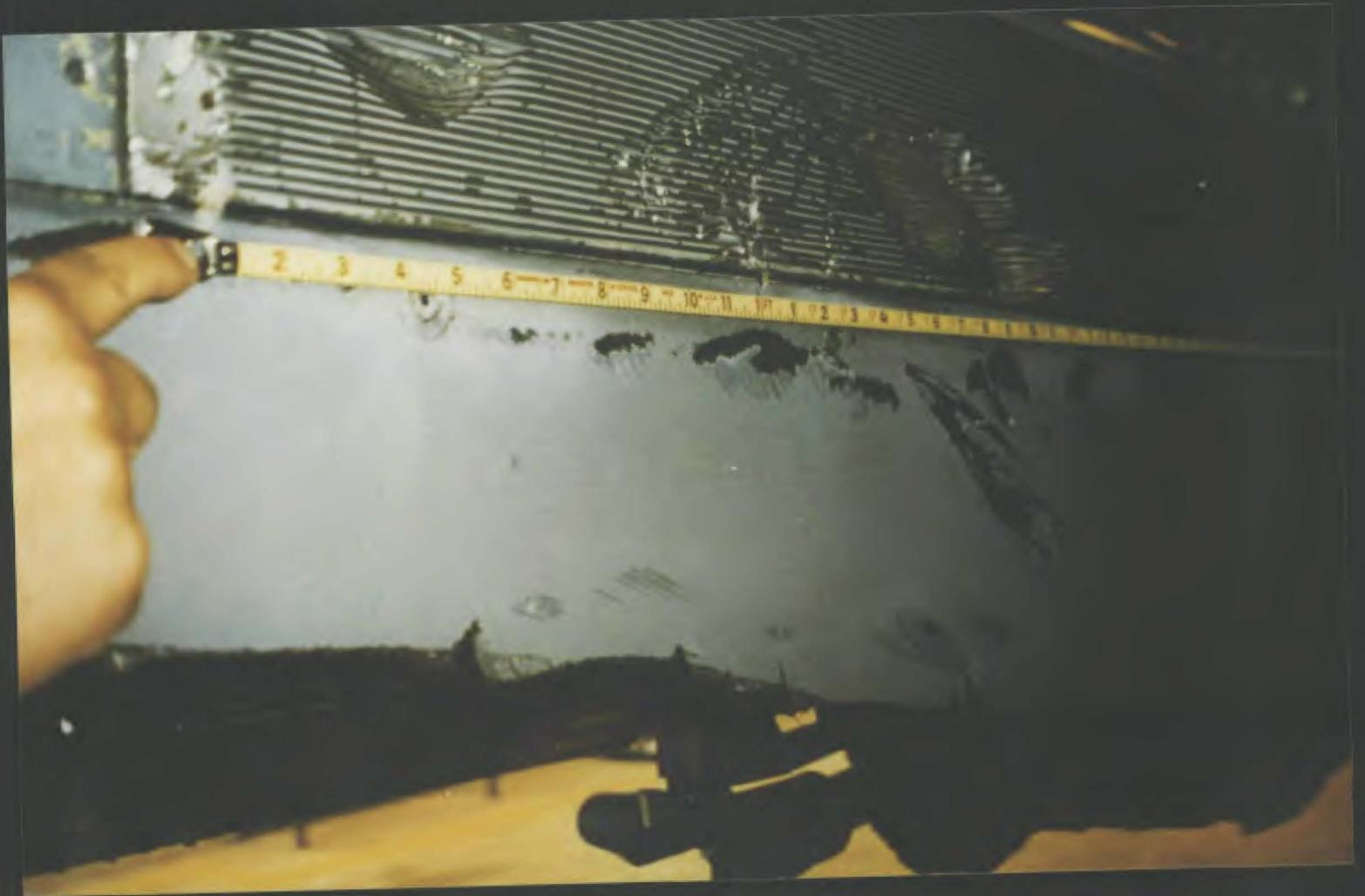
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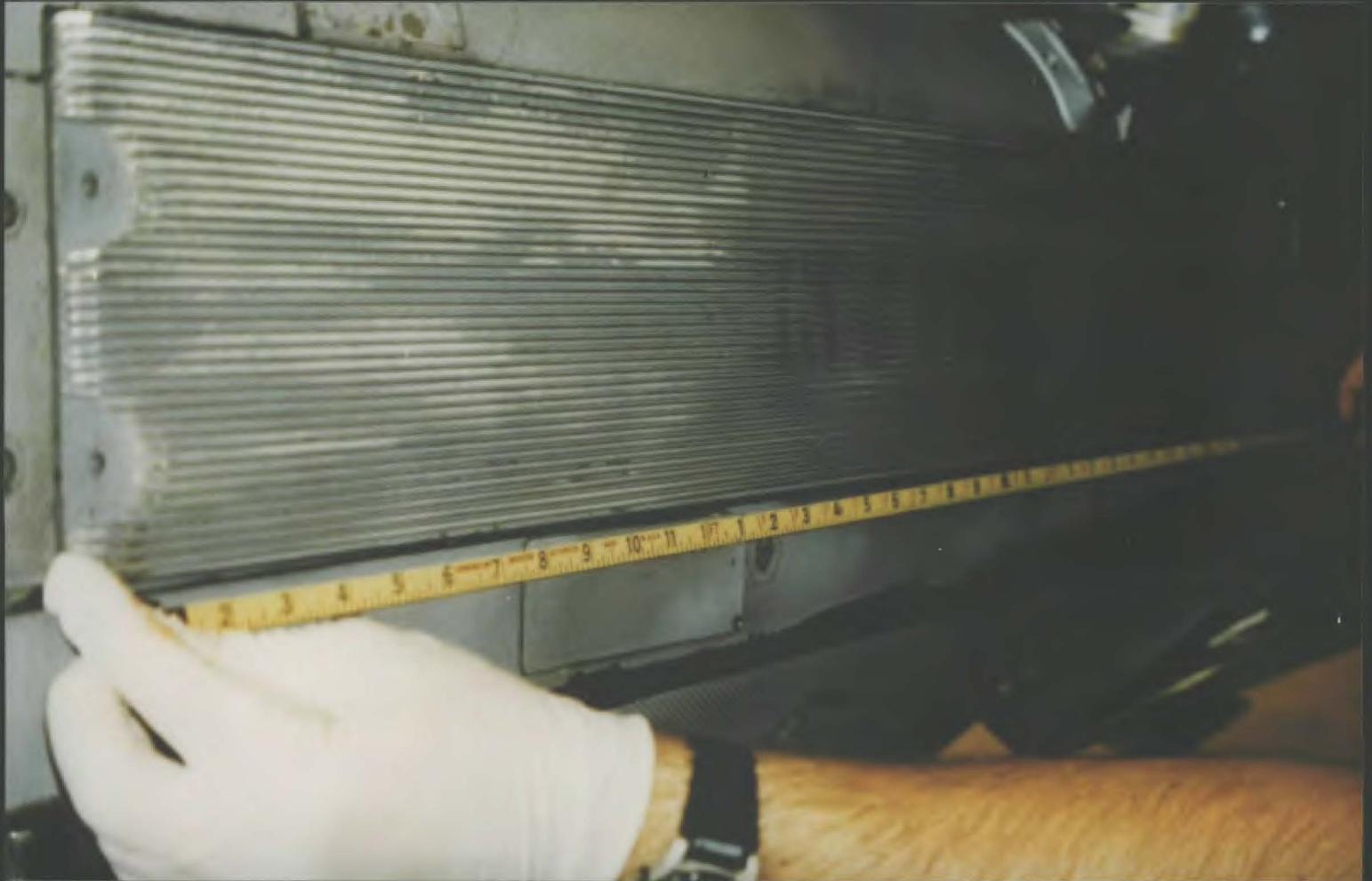
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PENALTY FOR PRIVATE USE, \$300

115

ENCLOSURE(4)

000141

02



Cy

163045

000142



000143

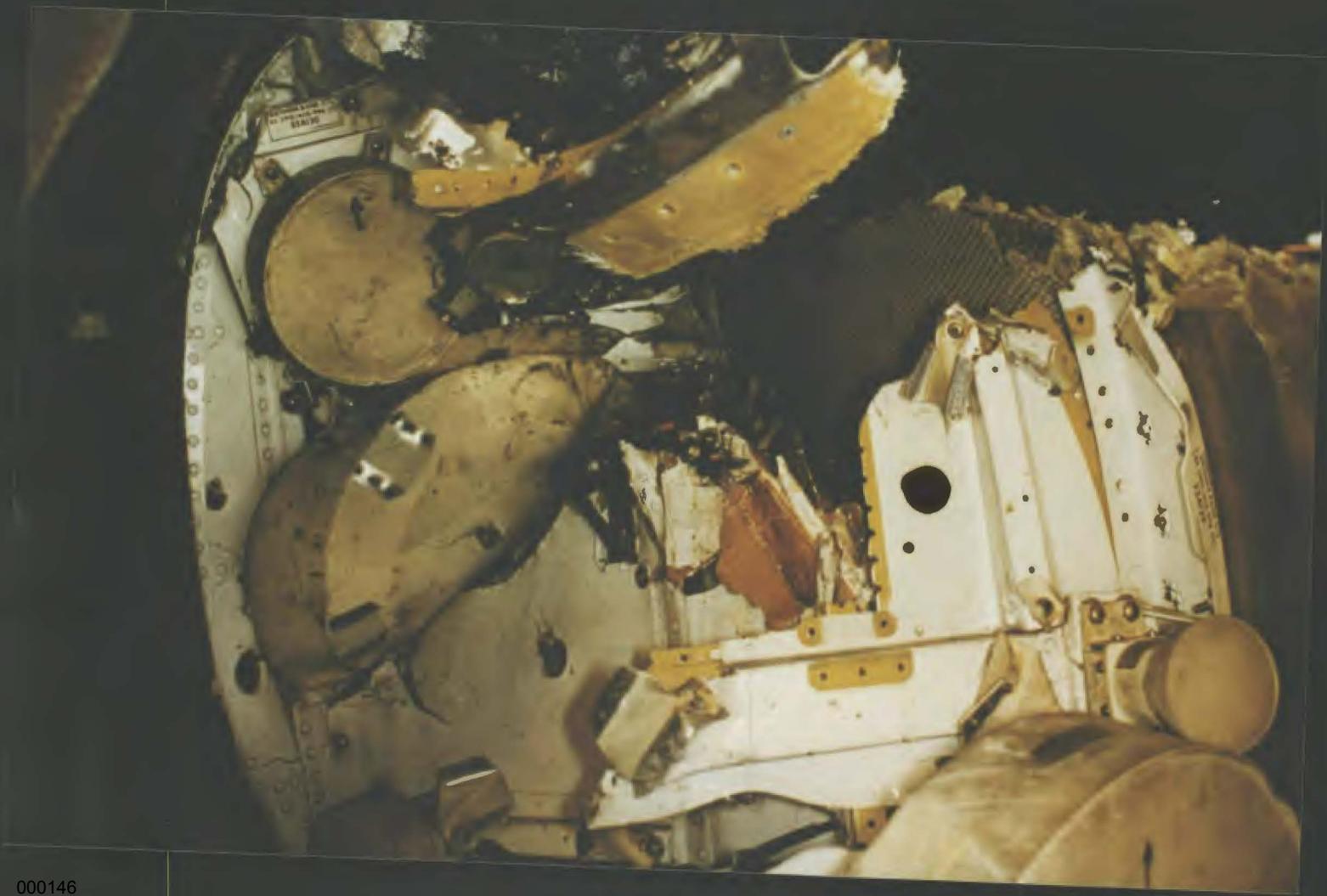


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NAVAL INVESTIGATIVE  
SERVICE

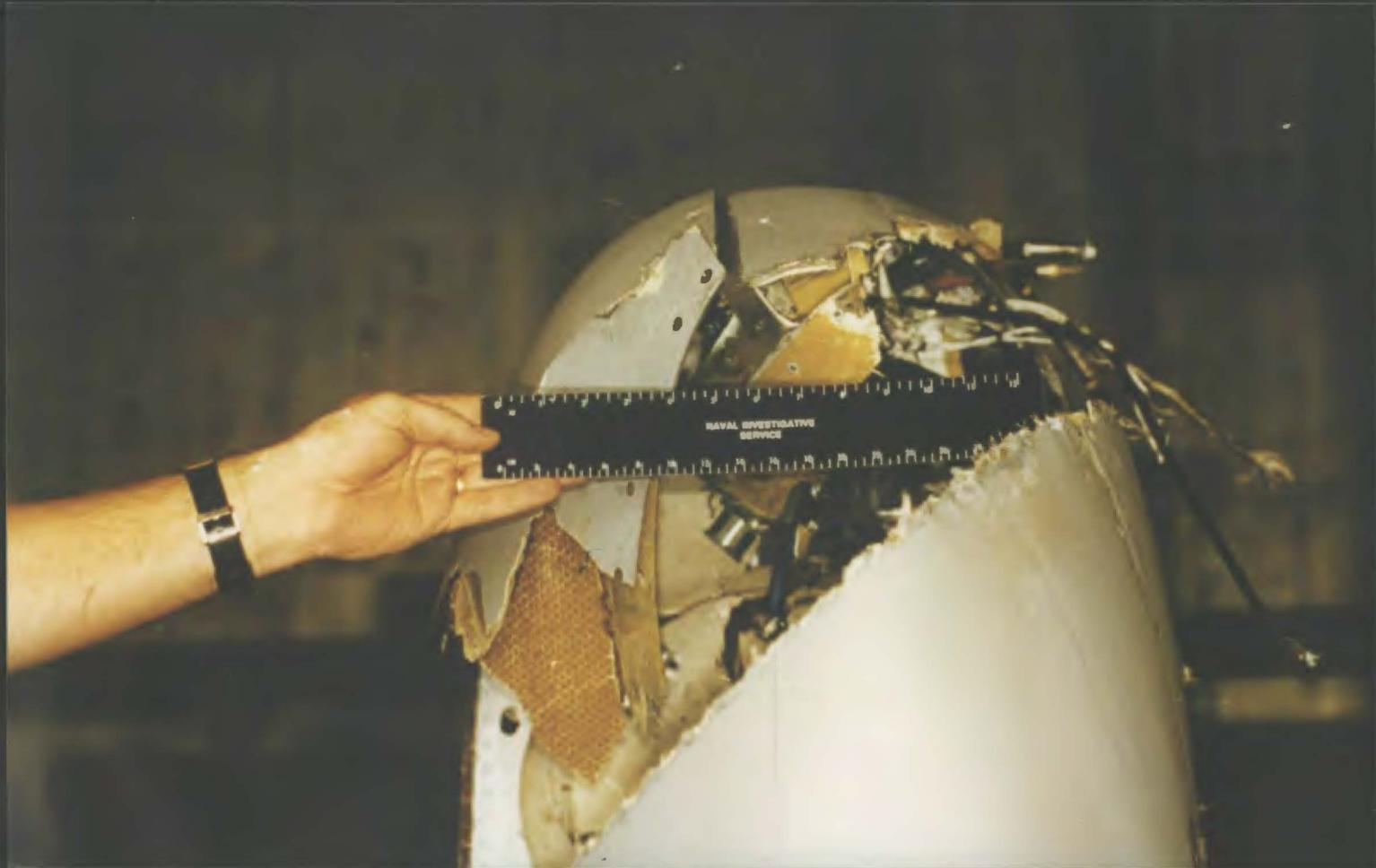
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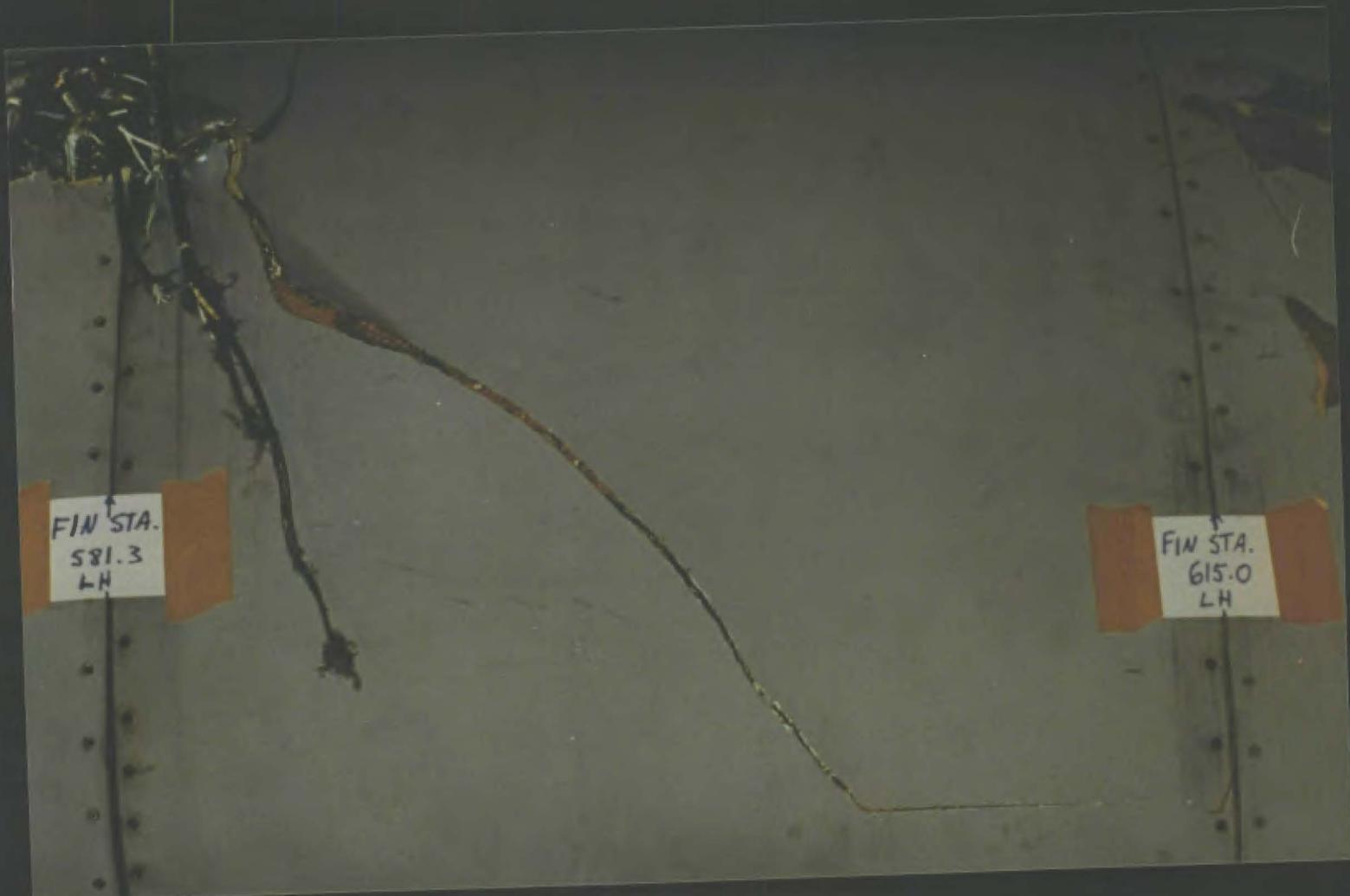


000147



000148





FIN STA.  
581.3  
LH

FIN STA.  
615.0  
LH

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OFFICIAL BUSINESS  
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115

ENCLOSURE(8)

000151

A



NATO CONFIDENTIAL

PLAYBOY'S AVIATION/JPAI LOCAL PRESET

LINE	EXTENSION	NO.	B.	C.
1	100-1000	10000		
2	100-1000	10000	2000	
3	100-1000	10000	3000	
4	100-1000	10000	4000	
5	100-1000	10000	5000	
6	100-1000	10000	6000	
7	100-1000	10000	7000	
8	100-1000	10000	8000	
9	100-1000	10000	9000	
10	100-1000	10000	10000	
11	100-1000	10000		
12	100-1000	10000		
13	100-1000	10000		
14	100-1000	10000		
15	100-1000	10000		
16	100-1000	10000		
17	100-1000	10000		
18	100-1000	10000		
19	100-1000	10000		
20	100-1000	10000		
21	100-1000	10000		
22	100-1000	10000		
23	100-1000	10000		
24	100-1000	10000		
25	100-1000	10000		
26	100-1000	10000		
27	100-1000	10000		
28	100-1000	10000		
29	100-1000	10000		
30	100-1000	10000		
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33	100-1000	10000		
34	100-1000	10000		
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94	100-1000	10000		
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98	100-1000	10000		
99	100-1000	10000		
100	100-1000	10000		

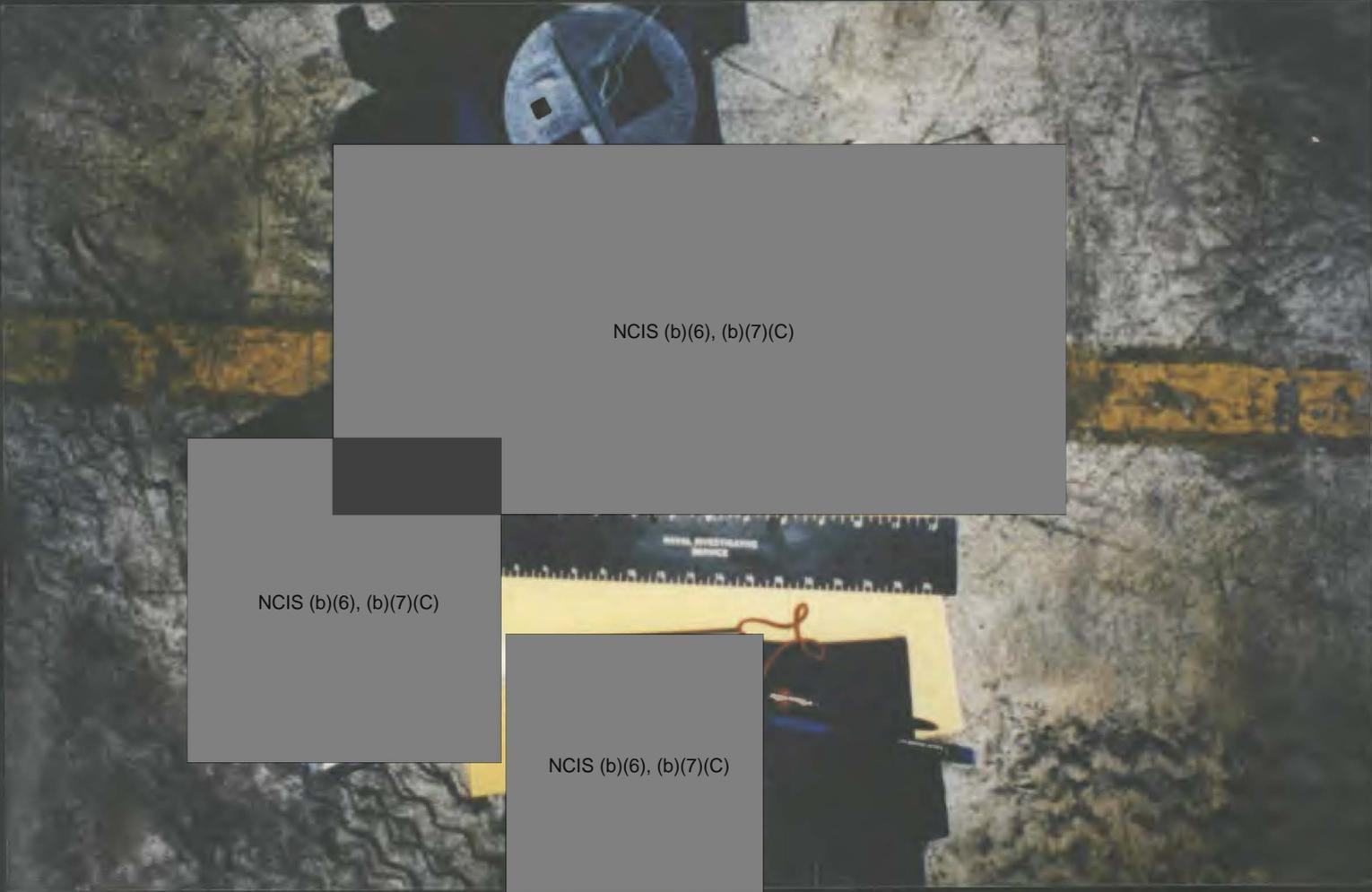
PRAC 113 PRESET      PUSH A      PRAC 113 PRESET



NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)



NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)



000155

NCIS (b)(6), (b)(7)(C)

NAVAL INVESTIGATIVE  
SERVICE

A

1713

000156



NAVAL INVESTIGATIVE  
SERVICE

E

NCIS (b)(6), (b)(7)(C)

05

NCIS (b)(6), (b)(7)(C)

NAVAL INVESTIGATIVE  
SERVICE

NCIS (b)(6), (b)(7)(C)



NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)

NAVAL INVESTIGATIVE  
SERVICE



G

1047



000160



000161

2/3

H

000162



EX

3/3

H

NAVAL INVESTIGATIVE  
SERVICE

000163



INF

000164



NAVAL INVESTIGATIVE  
SERVICE



J

Lower  
POD

000165

K



041202



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115

ENCLOSURE (e)

000167

NAVAL INVESTIGATIVE  
SERVICE



000168

m



NAVAL INVESTIGATIVE  
SERVICE

000169

NAVAL INVESTIGATIVE  
SERVICE



N

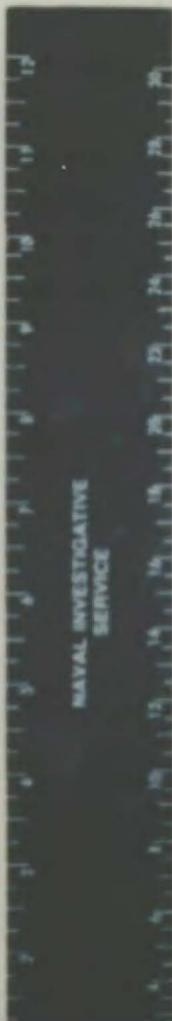
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NAVAL INVESTIGATIVE  
SERVICE

P

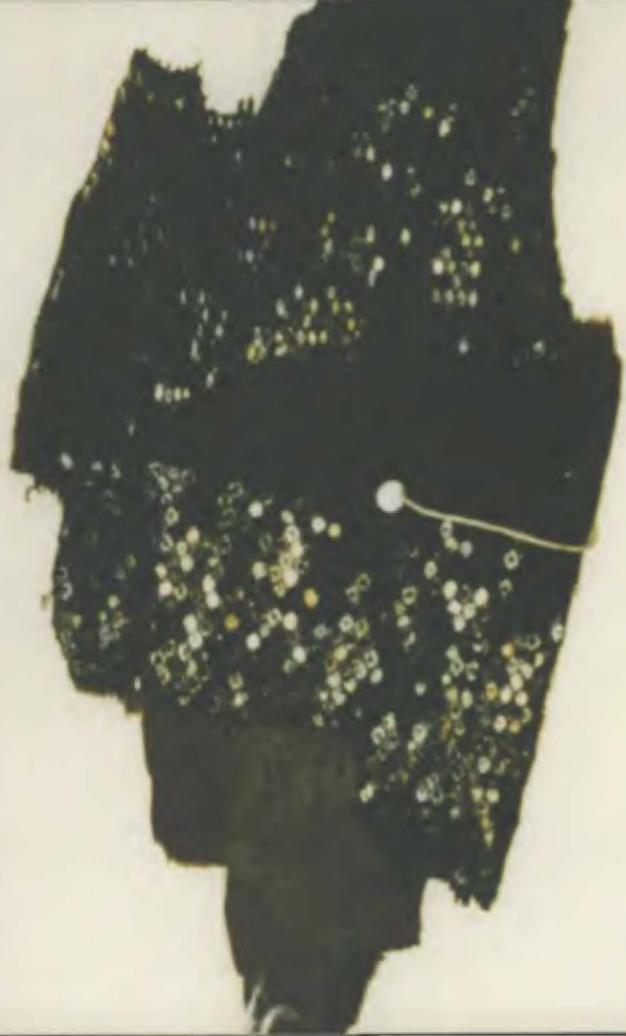
000173



Q

R

NAVAL INVESTIGATIVE  
SERVICE



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NAVAL INVESTIGATIVE  
SERVICE

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T

NAVAL INVESTIGATIVE  
SERVICE

000177



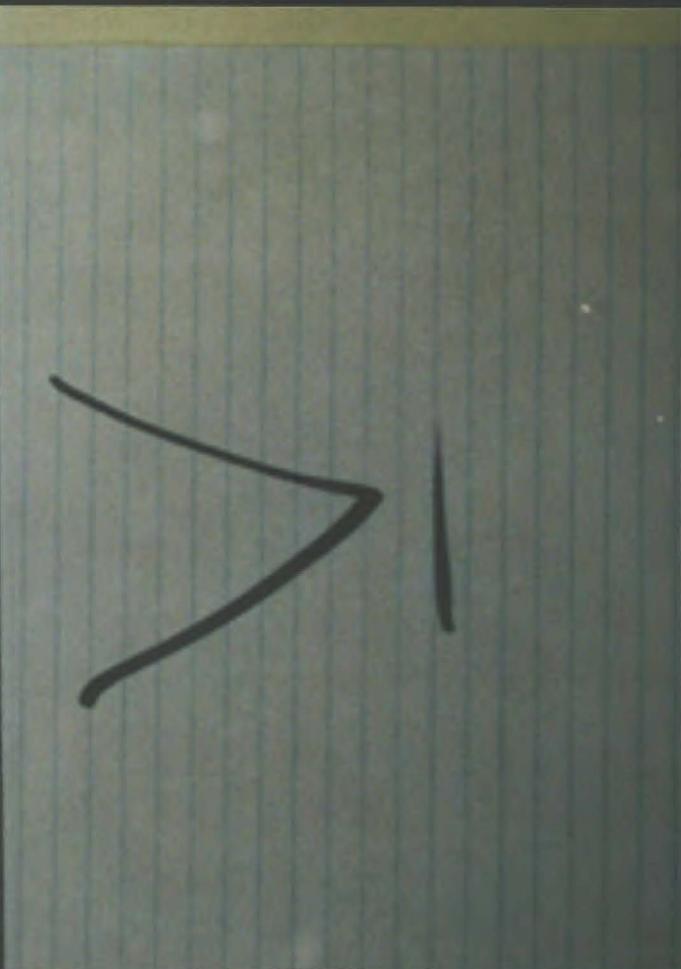


4 5 6 7 8 9

NAVAL INVESTIGATIVE  
SERVICE

10 12 14 16 18 20 22

000178

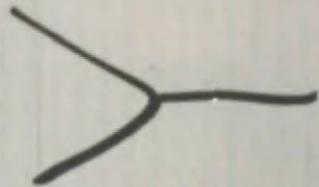
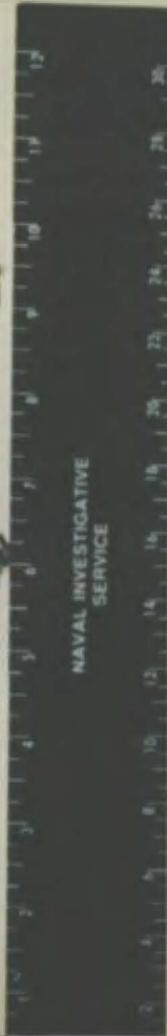






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000182

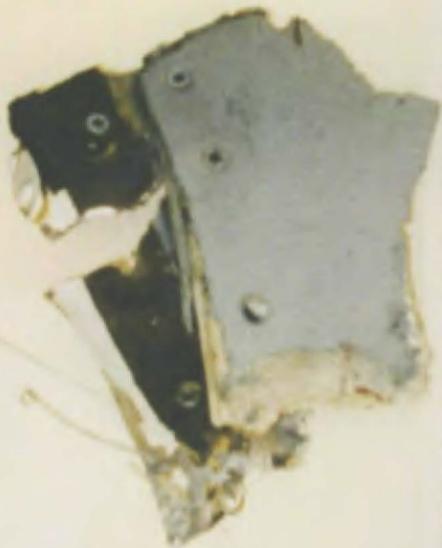


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000183

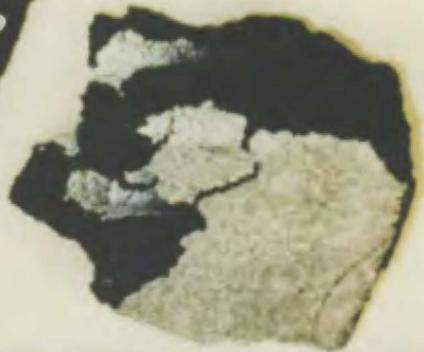
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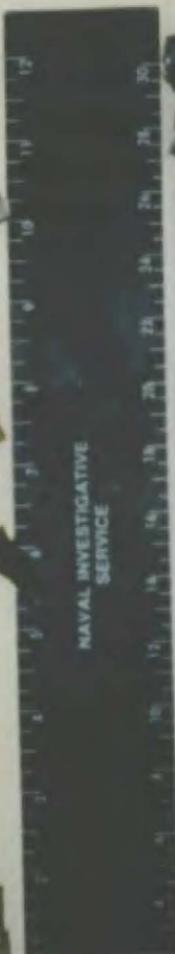
BB

NAVAL INVESTIGATIVE  
SERVICE



000185

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NAVAL INVESTIGATIVE  
SERVICE

DD

000187

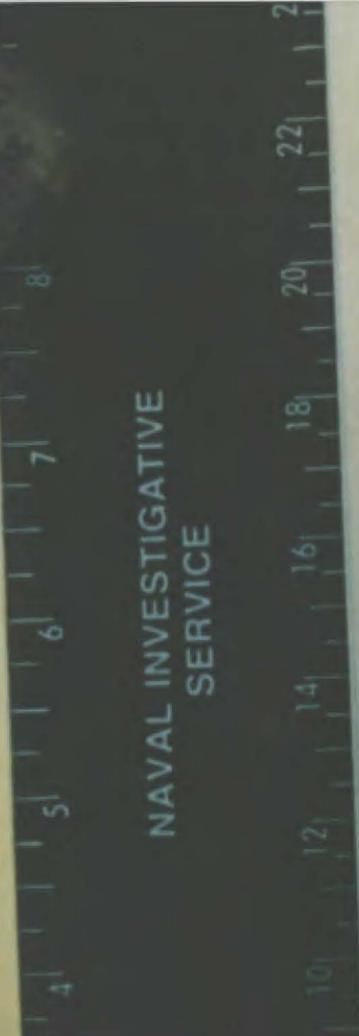
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NAVAL INVESTIGATIVE  
SERVICE

EE E

000189

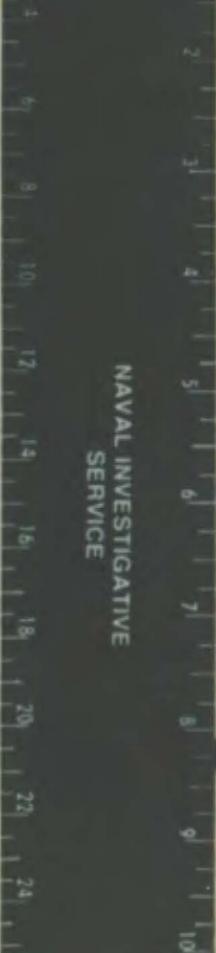


NAVAL INVESTIGATIVE  
SERVICE

F F



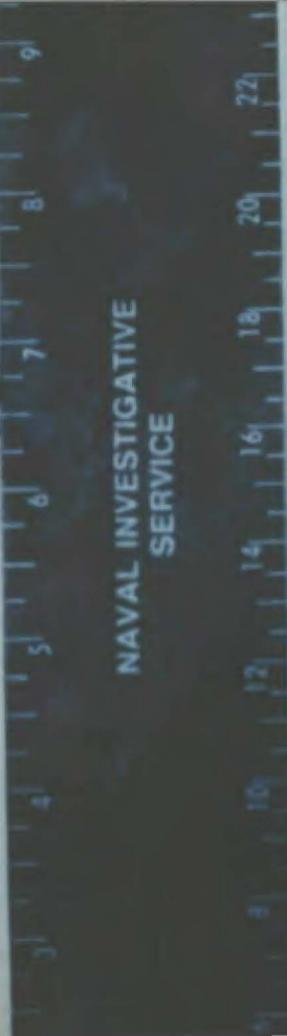
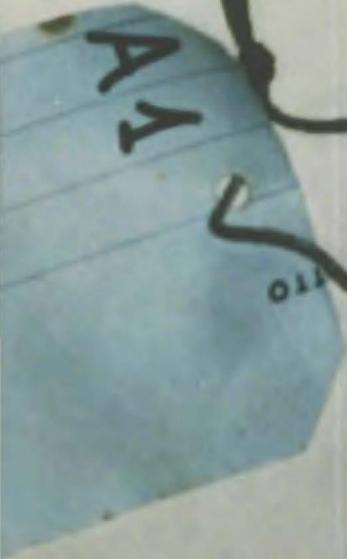
NAVAL INVESTIGATIVE  
SERVICE



G G

000190

000191



HHH

DEPARTMENT OF THE NAVY



OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

115

ENCLOSURE(N)

000192

000193





000194

RR

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NAVAL INVESTIGATIVE  
SERVICE



000196

LL



000197

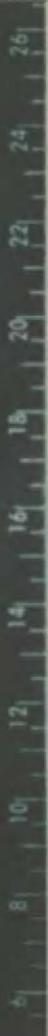
NAVAL INVESTIGATIVE  
SERVICE

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NAVAL INVESTIGATIVE  
SERVICE



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NAVAL INVESTIGATIVE  
SERVICE

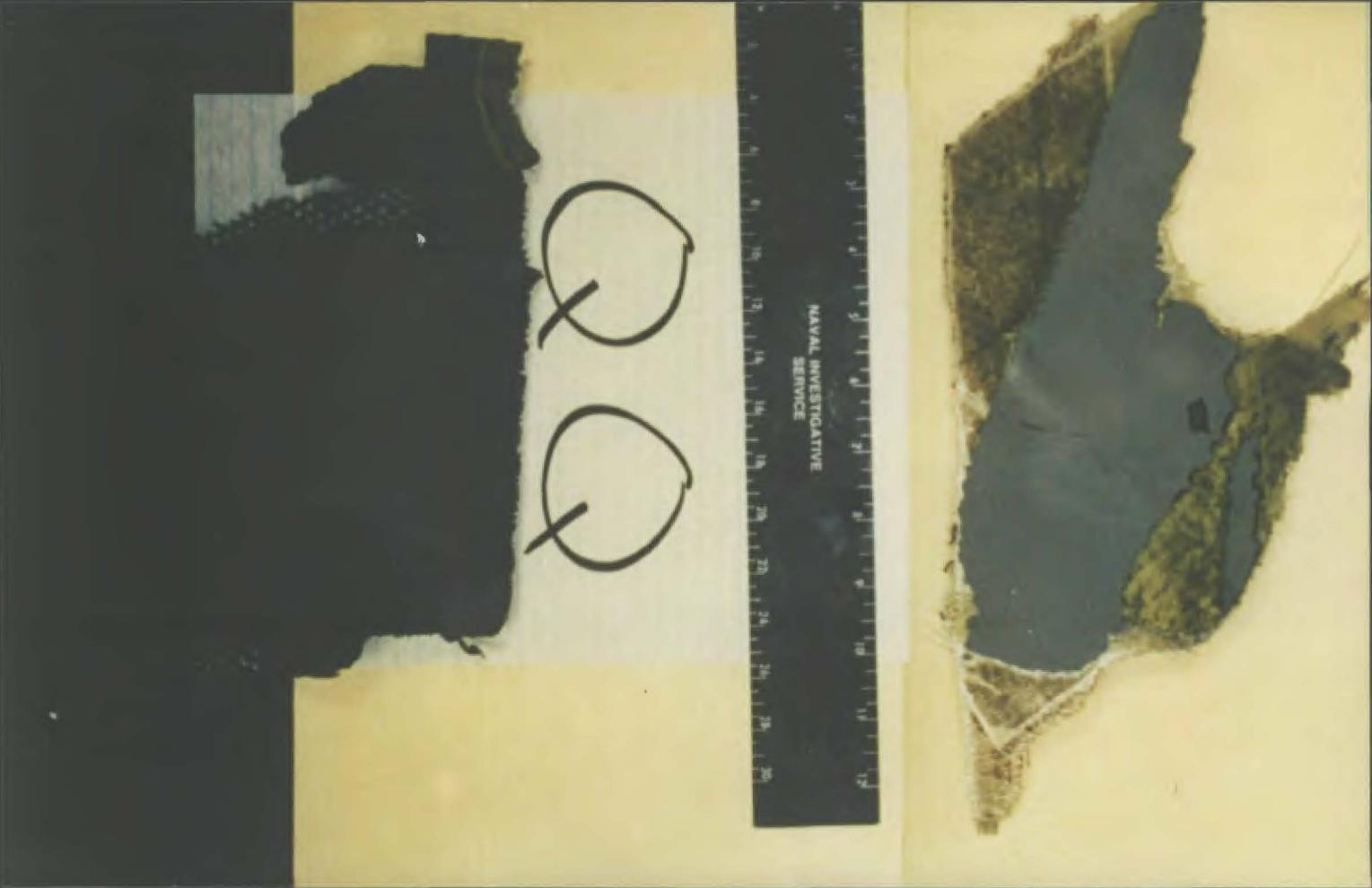
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NAVAL INVESTIGATIVE  
SERVICE



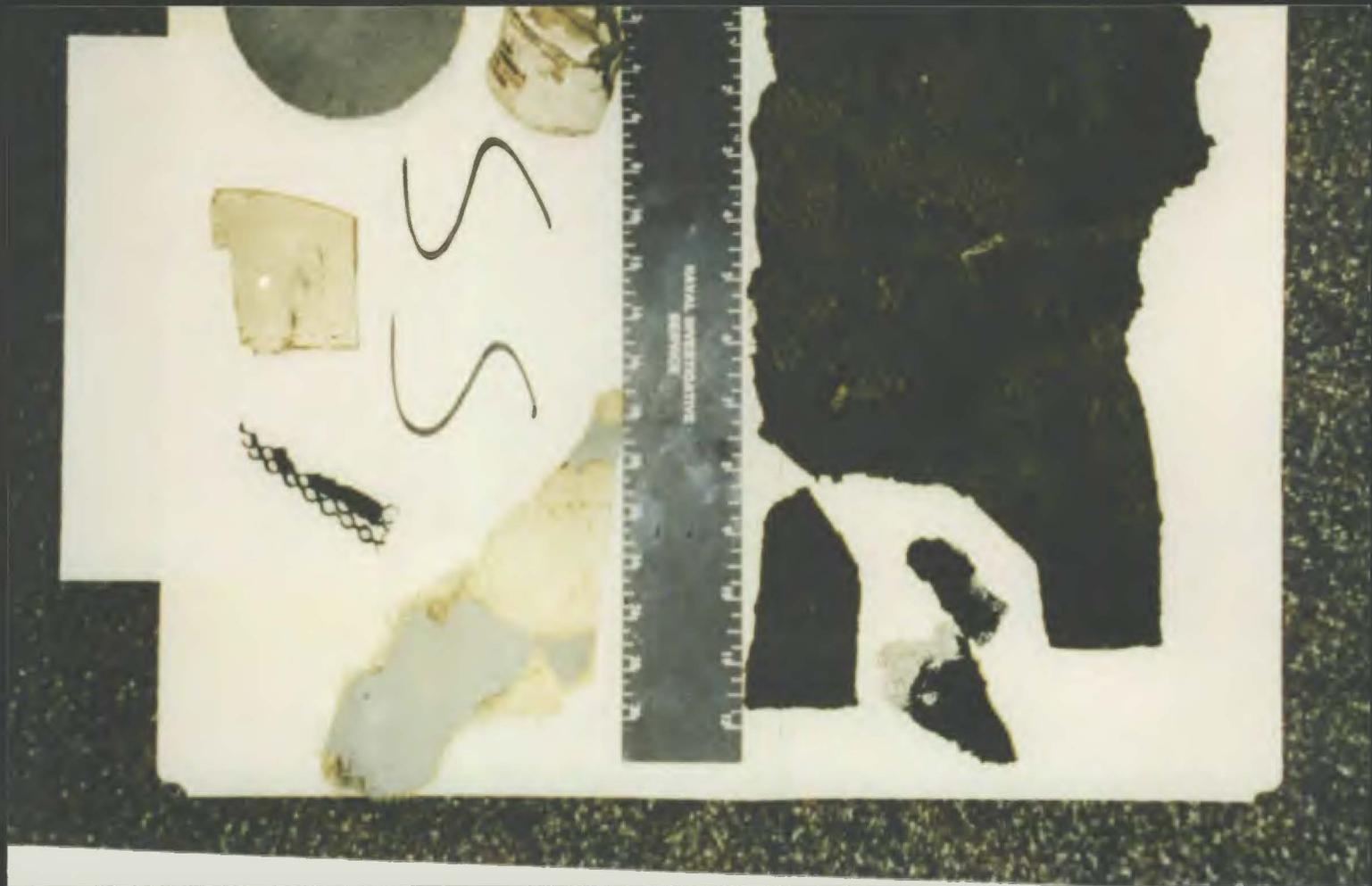


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NAVAL INVESTIGATIVE  
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000203

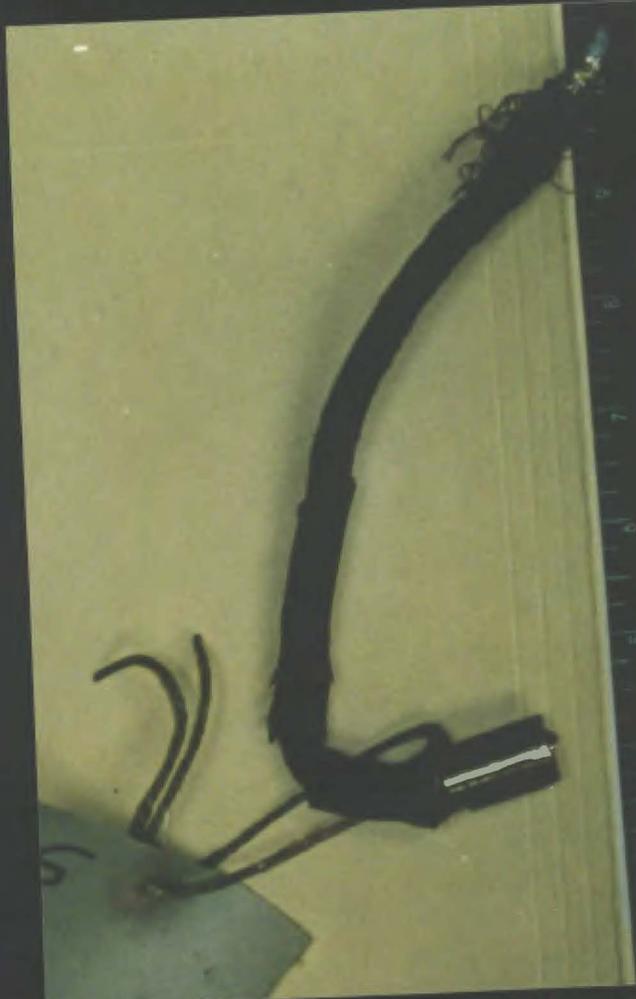
8/M



NAVAL INVESTIGATIVE  
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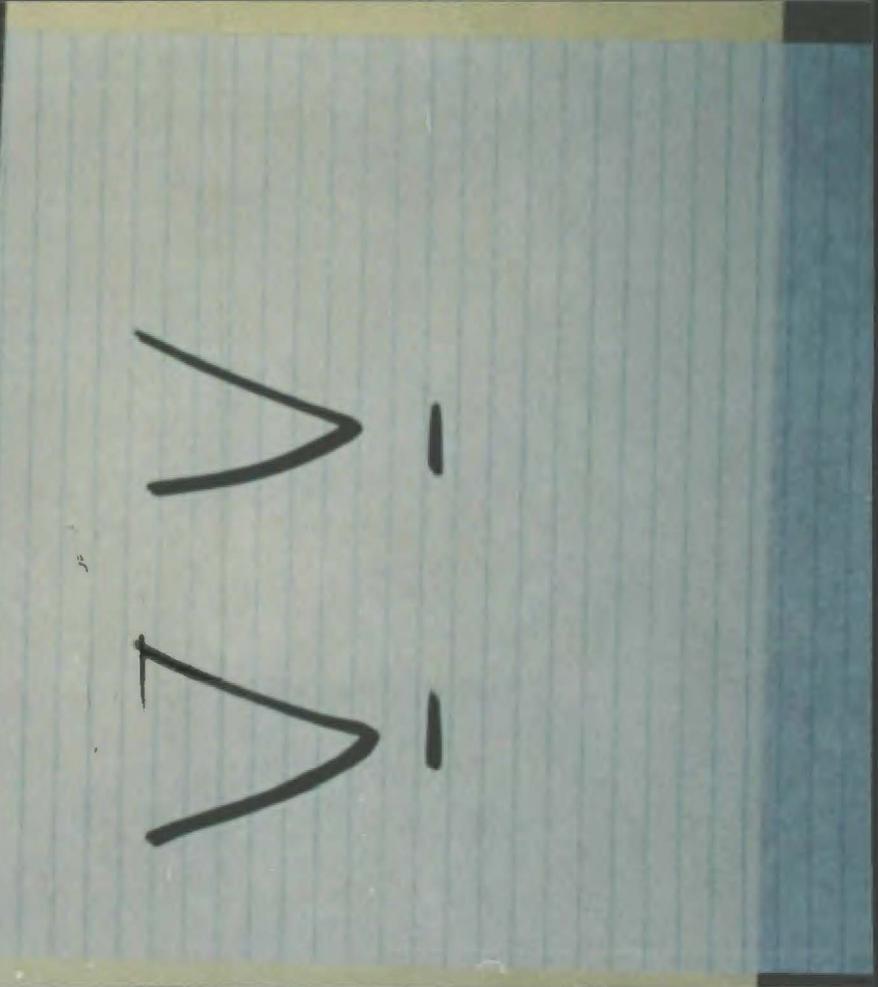
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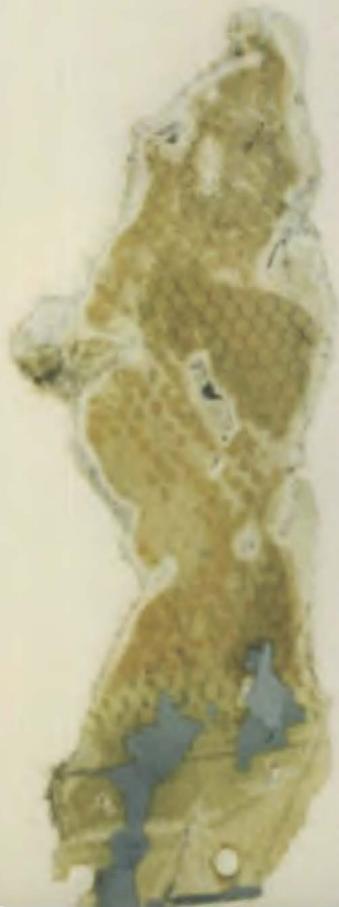


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NAVAL INVESTIGATIVE  
SERVICE



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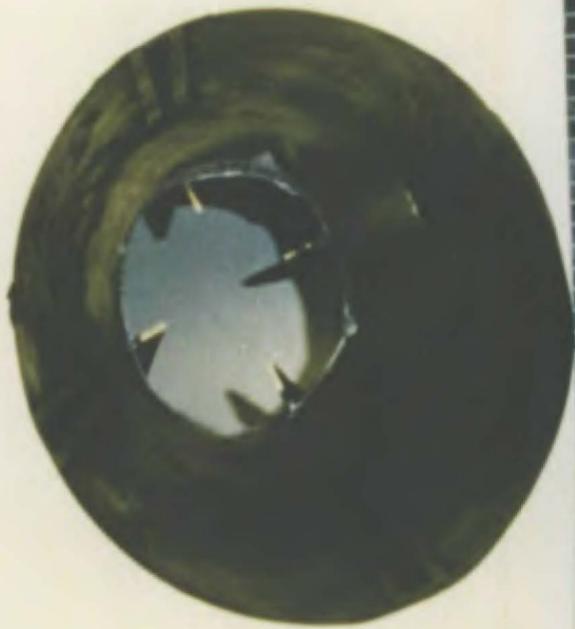
22



A A A

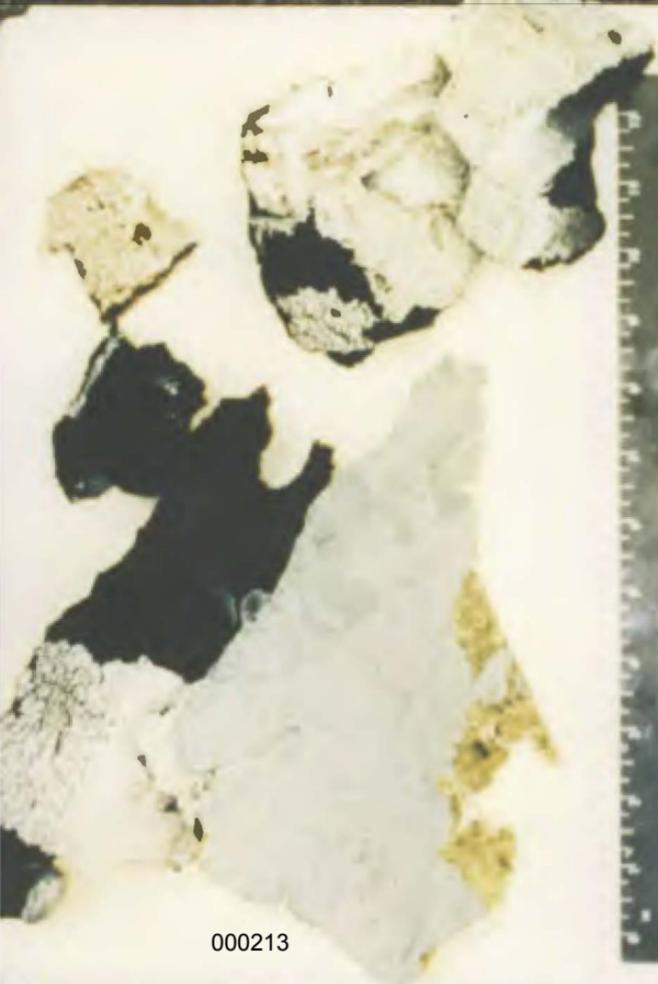
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NAVAL INVESTIGATIVE  
SERVICE

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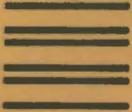
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DEPARTMENT OF THE NAVY



OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

115

ENCLOSURE(12)

000215



B47



NAVAL INVESTIGATIVE  
SERVICE

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NAVAL INVESTIGATIVE  
SERVICE



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B 21



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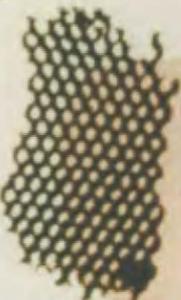
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B 41



B 41



MINI-METALLOGRAPHY  
SERVICES



I I I

B 32

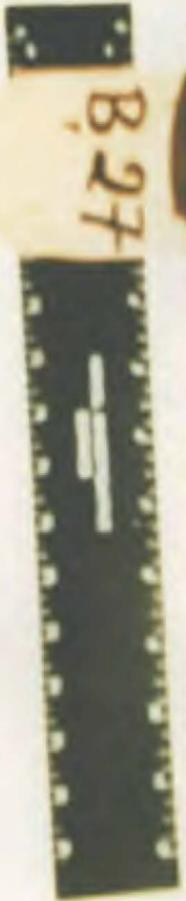


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ROYAL CANADIAN MOUNTED POLICE



B 30

B 49

SEARCH, INVESTIGATIVE  
SERVICES

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NAVAL INVESTIGATIVE  
SERVICE

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2011 Espagne + 6 Petri. In  
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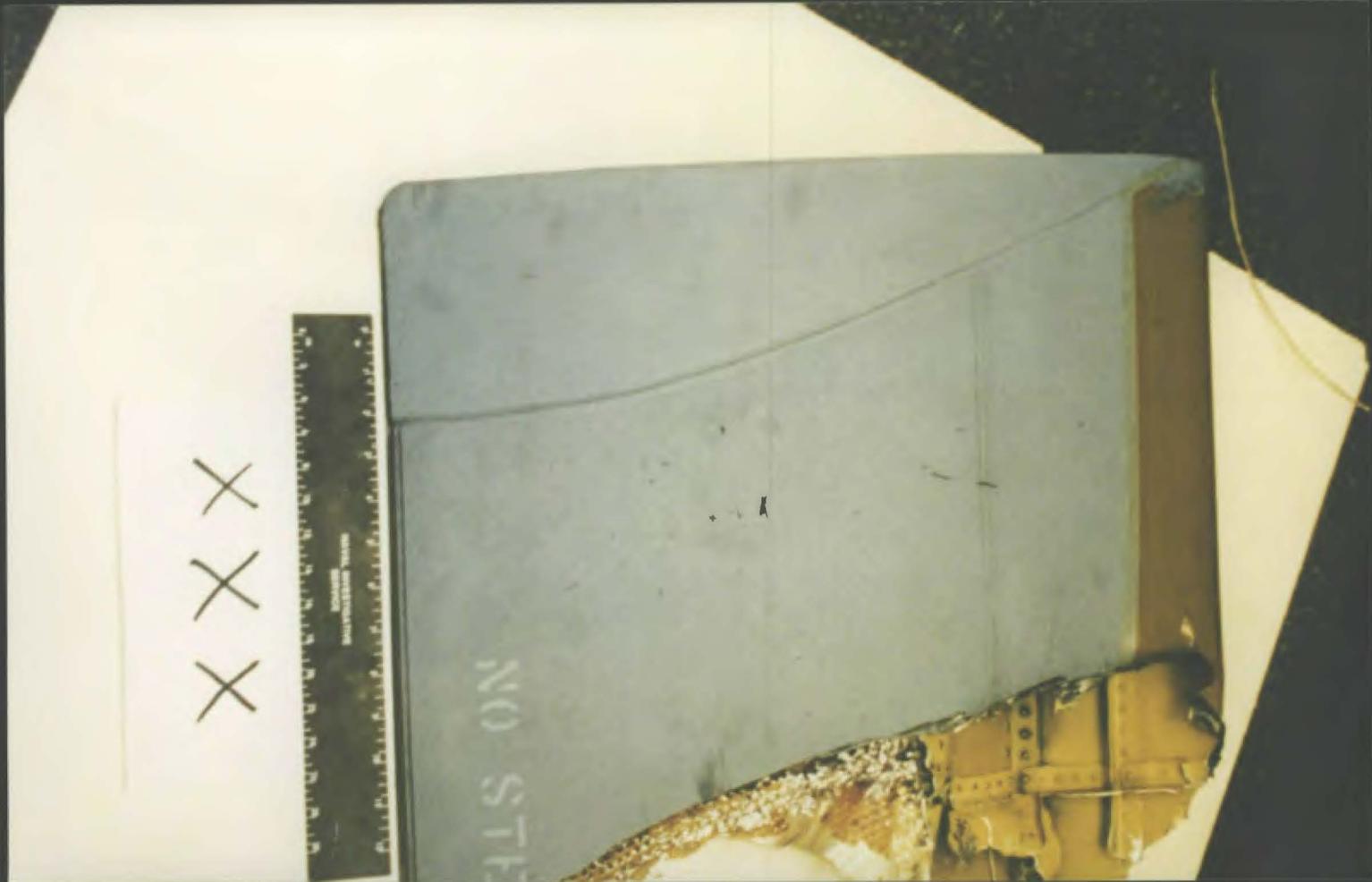
000233

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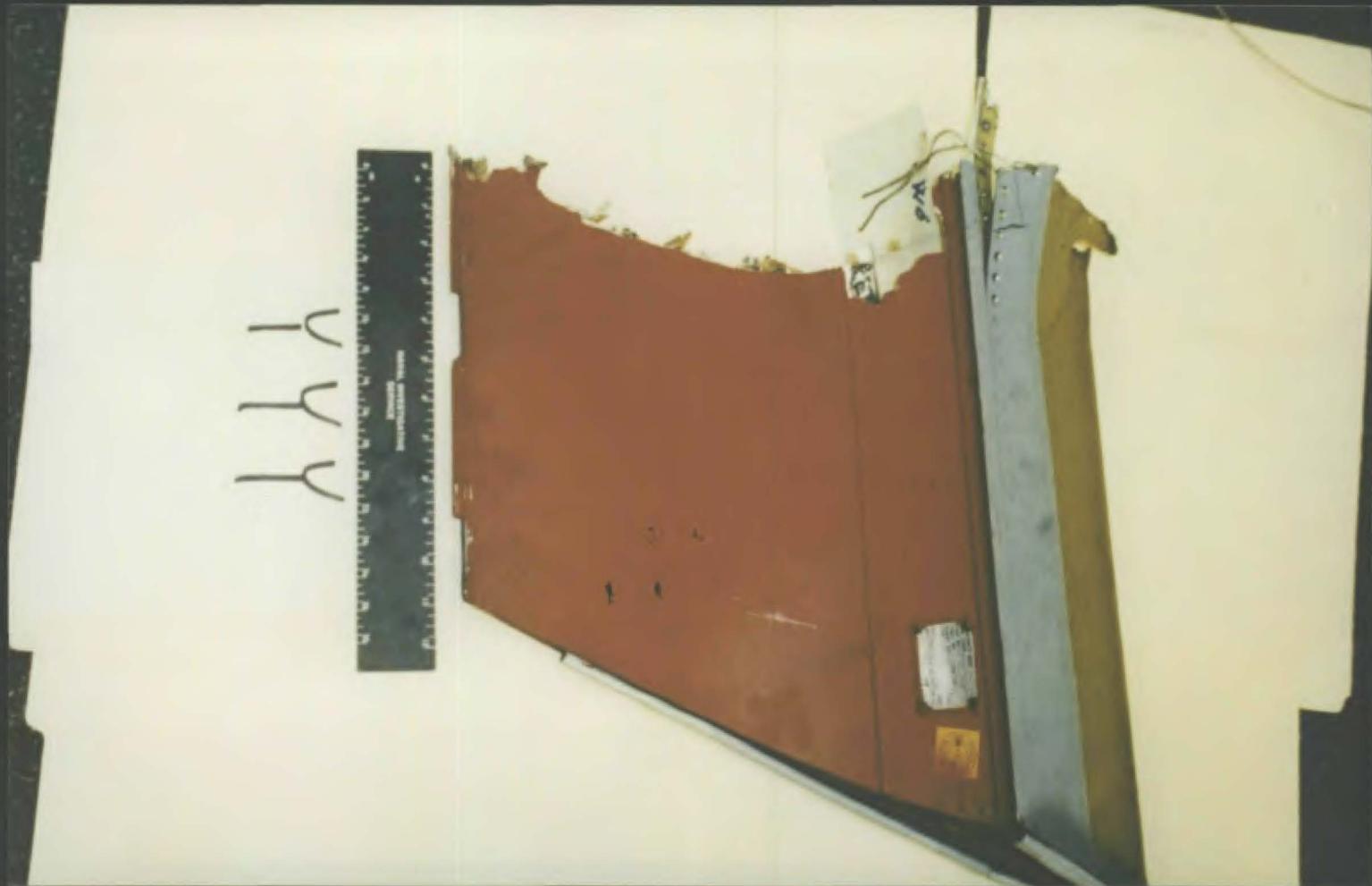
Handwritten markings on a white card, possibly "A A A A".



000234



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DEPARTMENT OF THE NAVY



OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

115

ENCLOSURE(13)

000237

Pages 238 through 240 redacted for the following reasons:

- 
- Enclosure (1): 8mm Video Tape - Not Processed
- Enclosure (3): Casette Tape - Not Processed
- Enclosure (4): Casette Tape - Not Processed

1-30-75-88

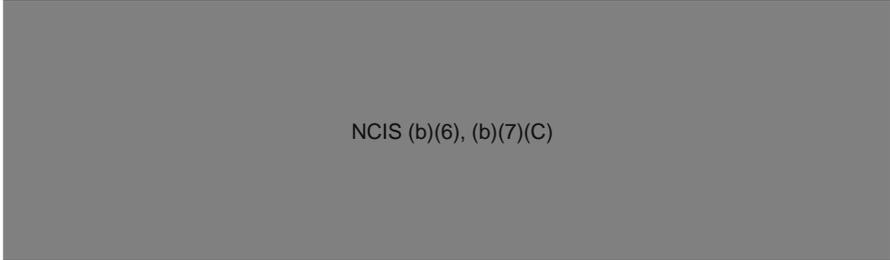
**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

ACTION/LEAD SHEET (CHANGE)

18NOV99

DEATH (I)

CONTROL: 15APR98-0023-0036-7HMS



NCIS (b)(6), (b)(7)(C)

COMMAND/MARFORLANT NORFOLK, VA/20100

MADE AT/0023B1/NCISHQ [redacted] SPECIAL AGENT

REFERENCE

- (A) CALE ALS/11AUG99/I/MARFORLANT NORFOLK, VA/ASSISTANCE  
TO THE AVIANO MISHAP JUDICIAL PROCESS  
CCN: 15APR98-0023-0036-7HMS
- (B) 0023 ALS(OPEN)/15APR99

CASE SUMMARY

1. Reference (A) more than adequately summarizes NCIS specific phase investigative assistance provided Command in support of military justice processes related to the alleged misconduct of the above-named crew of a U.S. Marine EA6B Prowler over Cavalese, Italy on 03FEB98 resulting in the deaths of twenty people.

2. Since Ref (B) did not set forth a specific lead for which an ALS (RUC) would be necessary, the document type represented by Ref (A) would more appropriately be identified as an Investigative Summary Report (Pending).

ACTION

A.DIST...Change document type of Ref (A) to read INVESTIGATIVE SUMMARY REPORT (PENDING). ✓

*Corrected in CIS.*

DISTRIBUTION

NCISHQ: 0023  
ACTION: 0023/EUNA/CALE

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PAGE 1 LA [redacted] NCIS (b)(6), (b)(7)(C)

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HERETO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC  
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

ACTION/LEAD SHEET (CHANGE)

09SEP99

DEATH (I)

CONTROL: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C)

COMMAND/MARFORLANT NORFOLK, VA/20100

MADE AT/0023B1/NCISHQ/ NCIS (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

(A) 0023 FILE: I/MARFORLANT NORFOLK, VA/ASSISTANCE TO THE  
AVIANO MISHAP JUDICIAL PROCESS/CCN: 15APR98-0023-0036-7HMS

CASE SUMMARY

1. For retention and retrieval purposes, it has been determined  
that NCIS (b)(6), (b)(7)(C) be added  
to the NI Title of this investigation.

ACTION

A.DIST...Add Subjects and Co-Subjects identified above to the  
NI Title of this investigation.

DISTRIBUTION

NCISHQ: 0023  
ACTION: 0023/EUNA/CALE

////CORRECTED COPY/////

SEP 15 1999 5 1

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PAGE 1 LAST NCIS (b)(6), (b)(7)(C)

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE** #10961-OUT-CTS #38974

INVESTIGATIVE SUMMARY REPORT (PENDING)

11AUG99

DEATH (I)

CONTROL: 15APR98-0023-0036-7HMS

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

COMMAND/MARFORLANT, NORFOLK, VA/20100

~~MADE AT/CALE/CAMP LEJEUNE, NC/~~ [REDACTED] NCIS (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCE

(A) 0023 ALS (PENDING)/01MAY98

## CASE SUMMARY

1. Reference (A) tasked CALE to provide investigative assistance to the trial counsels assigned to prosecute the four Marine Corps Aviators involved in the EA6B Prowler aircraft mishap, which occurred on 03Feb98 near Cavalese, Italy. The mishap involved the aircraft severing a gondola cable resulting in the death of twenty civilians from various European countries who were aboard the system at the time of the mishap. The accused included

Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

Captain [REDACTED]  
and Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Exhibits (1) through (267) detail investigative efforts provided by EUNA, CALE, and other NCIS offices who responded to taskings from CALE. Additional taskings will be reported via separate correspondence from EUNA, as some of EUNA's investigative assistance was not routed via CALE due to exigency, and went directly to trial counsels.

2. All four of the accused went to Article 32 hearings for various charges relating to the mishap. Only Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and Captain [REDACTED] NCIS (b)(6), (b)(7)(C) hearings resulted in General Court Martial proceedings. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was charged with Article 92 (Dereliction of Duty), Article 108 (Destruction of Military Property), Article 109 (Wasting or Spoiling Non-military Property), and Article 119 (Involuntary Manslaughter), all of the Uniform Code of Military Justice (UCMJ). Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was found not-guilty of all charges and specifications by a jury of his peers. However, in a separate trial at a later date he was found guilty of Article 133 (Obstructing Justice/Conspiracy to Obstruct Justice) of the UCMJ, which related to his involvement in concealing/destroying evidence in the case. He was sentenced to six months confinement, total forfeitures, and dismissal from the USMC. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) pled guilty and was found guilty of the same charges under Article 133, which resulted in his dismissal from the USMC.

3. Much of the evidence in this case has been properly disposed of at the request of trial counsel. However, some of the

**WARNING**

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

evidence will be maintained at CALE until appeal periods have expired before disposal. Fingerprints for Captain ~~NCIS (b)(6), (b)(7)(C)~~ have been obtained and forwarded to the FBI documenting his conviction. Captain ~~NCIS (b)(6), (b)(7)(C)~~ who is currently on appellate leave, has refused to provide his fingerprints on the advice of counsel, and efforts are ongoing via the USMC to have him ordered to provide same. In addition to exhibits (1) through (267), six boxes of documents and materials are being forwarded to NCISHQ for retention. They include: Box 1 of 6: CALE ALS (RUC) with exhibits; Box 2 of 6: All of CALE's original case notes as well as much of EUNA's original case notes; Box 3 of 6: Copies of documents from the related JAGMAN investigation; Box 4 of 6: Copies of various records of accused as well as a copy of Captain ~~NCIS (b)(6), (b)(7)(C)~~ diary; Box 5 of 6: Binders A and B which were created by EUNA and include tasking control sheets, synopsis sheets, and many completed taskings; and Box 6 of 6: Various photographs, slides, VHS tapes, HI-8 tapes, and CD ROM's depicting still and video images. Investigative lead taskings at CALE have been completed.

## EXHIBITS

- (1) IA: INTERVIEW OF ~~NCIS (b)(6), (b)(7)(C)~~ /06APR98... (COPY 23B1/CALE ONLY)
- (2) IA: INTERVIEW OF CAPTAIN ~~NCIS (b)(6), (b)(7)(C)~~ /08APR98... (COPY 23B1/CALE ONLY)
- (3) IA: INTERVIEW OF CAPTAIN ~~NCIS (b)(6), (b)(7)(C)~~ /08APR98... (COPY 23B1/CALE ONLY)
- (4) IA: INTERVIEW OF CAPTAIN ~~NCIS (b)(6), (b)(7)(C)~~ /09APR98... (COPY 23B1/CALE ONLY)
- (5) IA: INTERVIEW OF MAJ ~~NCIS (b)(6), (b)(7)(C)~~ /09APR98... (COPY 23B1/CALE ONLY)
- (6) IA: INTERVIEW OF CAPT ~~NCIS (b)(6), (b)(7)(C)~~ /09APR98... (COPY 23B1/CALE ONLY)
- (7) IA: INTERVIEW OF CAPTAIN ~~NCIS (b)(6), (b)(7)(C)~~ /15APR98... (COPY 23B1/CALE ONLY)
- (8) IA: INTERVIEW OF CAPT ~~NCIS (b)(6), (b)(7)(C)~~ /16APR98... (COPY 23B1/CALE ONLY)
- (9) IA: INTERVIEW OF CAPTAIN ~~NCIS (b)(6), (b)(7)(C)~~ /16APR98... (COPY 23B1/CALE ONLY)
- (10) IA: INTERVIEW OF 1STLT ~~NCIS (b)(6), (b)(7)(C)~~ /16APR98... (COPY 23B1/CALE ONLY)
- (11) IA: INTERVIEW OF CAPTAIN ~~NCIS (b)(6), (b)(7)(C)~~ /17APR98... (COPY 23B1/CALE ONLY)
- (12) IA: INTERVIEW OF CAPT ~~NCIS (b)(6), (b)(7)(C)~~ /17APR98... (COPY 23B1/CALE ONLY)
- (13) IA: RECEIPT OF AVIATOR TRAINING JACKET SUMMARY CARDS/17APR98... (COPY 23B1/CALE ONLY)

## WARNING

- (14) IA:INQUIRIES WITH THE MISSISSIPPI DPS/20APR98... (COPY 23B1/CALE ONLY)
- (15) IA:ACQUISITION OF FLIGHT TRAINING RECORDS/20APR98... (COPY 23B1/CALE ONLY)
- U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**
- ✓(16) STATEMENT OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) / 22APR98... (COPY 23B1/CALE ONLY)

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PAGE 2

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

- ✓(17) IA:REVIEW OF TURNOVER BINDER AT VMAQ-4/22APR98... (COPY 23B1/CALE ONLY)
- ✓(18) IA:ATTEMPT TO INTERVIEW COL [REDACTED] NCIS (b)(6), (b)(7)(C) USAF/22APR98... (COPY 23B1/CALE ONLY)
- (19) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(20) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(21) STATEMENT OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(22) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(23) STATEMENT OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(24) IA:RESULTS OF INTERVIEW - COL [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(25) IA:RESULTS OF INTERVIEW WITH COL [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(26) IA:INFORMATION FROM IDENTITY PROTECTED WITNESS/23APR98... (COPY 23B1/CALE ONLY)
- (27) IA:RESULTS OF INTERVIEW - CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) /23APR98... (COPY 23B1/CALE ONLY)
- ✓(28) STATEMENT OF LT [REDACTED] NCIS (b)(6), (b)(7)(C) /24APR98... (COPY 23B1/CALE ONLY)
- ✓(29) STATEMENT OF LT [REDACTED] NCIS (b)(6), (b)(7)(C) /24APR98... (COPY 23B1/CALE ONLY)
- ✓(30) STATEMENT OF TSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /24APR98... (COPY 23B1/CALE ONLY)
- ✓(31) IA:RESULTS OF INTERVIEW - LTC [REDACTED] NCIS (b)(6), (b)(7)(C) /24APR98... (COPY 23B1/CALE ONLY)
- (32) IA:RESULTS OF INTERVIEW - COL [REDACTED] NCIS (b)(6), (b)(7)(C) /24APR98... (COPY 23B1/CALE ONLY)
- (33) IA:RESULTS OF CONTACT WITH [REDACTED] NCIS (b)(6), (b)(7)(C) GRANERO/24APR98 ... (COPY 23B1/CALE ONLY)
- ✓(34) IA:RECEIPT OF TELEPHONE TOLL RECORDS/24APR98... (COPY 23B1/CALE ONLY)
- ✓(35) STATEMENT OF LT [REDACTED] NCIS (b)(6), (b)(7)(C) /25APR98... (COPY 23B1/CALE ONLY)
- ✓(36) STATEMENT OF SRA [REDACTED] NCIS (b)(6), (b)(7)(C) /25APR98... (COPY 23B1/CALE ONLY)
- ✓(37) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /25APR98... (COPY 23B1/CALE ONLY)
- ✓(38) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /25APR98... (COPY 23B1/CALE ONLY)

**WARNING**

- ✓ (39) STATEMENT OF LCPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (40) STATEMENT OF CPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (41) STATEMENT OF LCPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (42) STATEMENT OF CPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (43) STATEMENT OF [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (44) STATEMENT OF LCPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (45) STATEMENT OF CPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)

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~~PAGE 3~~

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

- ✓ (46) STATEMENT OF [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (47) STATEMENT OF LCPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (48) STATEMENT OF CPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (49) STATEMENT OF [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (50) STATEMENT OF SGT [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (51) STATEMENT OF [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (52) STATEMENT OF [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (53) IA:COLLECTION OF EVIDENCE/25APR98... (COPY 23B1/CALE ONLY)
- ✓ (54) IA:RESULTS OF INTERVIEW (LCPL [REDACTED]) /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (55) IA:INTERVIEW OF [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (56) IA:RESULTS OF INTERVIEW (LCPL [REDACTED]) /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (57) IA:RESULTS OF INTERVIEW WITH CPL [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (58) IA:ADDITIONAL INFORMATION FROM [REDACTED] /25APR98... (COPY 23B1/CALE ONLY)
- ✓ (59) STATEMENT OF [REDACTED] /26APR98... (COPY 23B1/CALE ONLY)
- ✓ (60) IA:RESULTS OF INTERVIEW WITH LCPL [REDACTED] /26APR98... (COPY 23B1/CALE ONLY)
- ✓ (61) IA:RESULTS OF INTERVIEW (CPL [REDACTED]) /26APR98... (COPY 23B1/CALE ONLY)
- ✓ (62) IA:RESULTS OF INTERVIEW (CPL [REDACTED]) /26APR98... (COPY 23B1/CALE ONLY)
- ✓ (63) STATEMENT OF [REDACTED] /27APR98... (COPY 23B1/CALE ONLY)
- ✓ (64) STATEMENT OF SSGT [REDACTED] /27APR98... (COPY 23B1/CALE ONLY)
- ✓ (65) IA:RESULTS OF INTERVIEW WITH CPL [REDACTED] /27APR98... (COPY 23B1/CALE ONLY)
- ✓ (66) IA:CONTACT WITH ITALIAN AIR FORCE HEADQUARTERS, BRINDISI, ITALY

REGARDING EXISTENCE OF ATC PADOVA FIGHT RADIO COMMUNICATIONS FOR 03FEB98/27APR98... (COPY 23B1/CALE ONLY)

✓(67) IA:RESULTS OF INTERVIEW (NCIS (b)(6), (b)(7)(C)) 27APR98... (COPY 23B1/CALE ONLY)

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

✓(68) IA:RESULTS OF INTERVIEW WITH [REDACTED] NCIS (b)(6), (b)(7)(C) / 27APR98 ... (COPY 23B1/CALE ONLY)

✓(69) IA:ADDITIONAL INFORMATION FROM NCIS (b)(6), (b)(7)(C) 27APR98... (COPY 23B1/CALE ONLY)

✓(70) IA:ACQUISITION OF DOCUMENTS FROM MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) USAF/27APR98... (COPY 23B1/CALE ONLY)

(71) IA:RECEIPT OF JAGMAN FOR A-6E MISHAP IN SAUDI ARABIA/27APR98 ... (COPY 23B1/CALE ONLY)

✓(72) STATEMENT OF SRA [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

✓(73) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

✓(74) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

✓(75) STATEMENT OF MAJ [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

✓(76) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

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PAGE 4

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

ONLY)

✓(77) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

(78) IA:INTERVIEW OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/28APR98... (COPY 23B1/CALE ONLY)

(79) IA:INTERVIEW OF GYSGT [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

(80) IA:INTERVIEW OF SGT [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

(81) IA:INTERVIEW OF LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/28APR98... (COPY 23B1/CALE ONLY)

(82) IA:INTERVIEW OF LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/28APR98... (COPY 23B1/CALE ONLY)

(83) IA:INTERVIEW OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/28APR98... (COPY 23B1/CALE ONLY)

(84) IA:INTERVIEW OF LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) / 28APR98... (COPY 23B1/CALE ONLY)

(85) MEMORANDUM FROM [REDACTED] NCIS (b)(6), (b)(7)(C) REGARDING RESUME, RADAR ALTIMETER TEST PROCEDURES/28APR98... (COPY 23B1/CALE ONLY)

✓(86) IA:REVIEW OF COMPUTER BRIEF PRESENTATION/28APR98... (COPY 23B1/CALE ONLY)

✓(87) IA:RECEIPT OF AVIANO AIR BASE ITALY FIRE ALARM COMMUNICATIONS CENTER LOG FOR 03FEB98/28APR98... (COPY 23B1/CALE ONLY)

(88) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) / 29APR98... (COPY 23B1/CALE ONLY)

(89) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) / 29APR98... (COPY 23B1/CALE ONLY)

✓(90) STATEMENT OF COL [REDACTED] NCIS (b)(6), (b)(7)(C) / 29APR98... (COPY 23B1/CALE ONLY)

**WARNING**

ONLY)

✓ (91) STATEMENT OF SRA [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

✓ (92) STATEMENT OF TSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

✓ (93) IA:ADDITIONAL INFORMATION FROM CON [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

✓ (94) IA:RESULTS OF INTERVIEW - AVIANO SKI CLUB/29APR98... (COPY 23B1/CALE ONLY)

(95) IA:RESULTS OF INTERVIEW (MA [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

✓ (96) IA:RESULTS OF INTERVIEW (MA [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

✓ (97) IA:RESULTS OF RECEIPT OF MILITARY RULE OF EVIDENCE 902 (3)/29APR98... (COPY 23B1/CALE ONLY)

✓ (98) IA:RESULTS OF INTERVIEW OF LNC [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

✓ (99) IA:RESULTS OF INTERVIEW (LCP [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

(100) IA:INTERVIEW OF LT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/29APR98... (COPY 23B1/CALE ONLY)

(101) IA:INTERVIEW OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

(102) IA:INTERVIEW OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/29APR98... (COPY 23B1/CALE ONLY)

(102) IA:INTERVIEW OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/29APR98... (COPY 23B1/CALE ONLY)

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PAGE 5

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

(103) IA:INTERVIEW OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

(104) IA:INTERVIEW OF SGT [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

(105) IA:INTERVIEW OF LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/29APR98... (COPY 23B1/CALE ONLY)

(106) IA:INTERVIEW OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/29APR98... (COPY 23B1/CALE ONLY)

(107) IA:INTERVIEW OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /29APR98... (COPY 23B1/CALE ONLY)

(108) IA:COPY OF VMAQ-2 MISHAP BINDER/29APR98... (COPY 23B1/CALE ONLY)

(109) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /30APR98... (COPY 23B1/CALE ONLY)

(110) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /30APR98... (COPY 23B1/CALE ONLY)

✓ (111) STATEMENT OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) /30APR98... (COPY 23B1/CALE ONLY)

✓ (112) IA:CONTACT WITH UNITED STATES SENDING STATE OFFICE (USSSO), AMEMBASSY ROME, ITALY/30APR98... (COPY 23B1/CALE ONLY)

✓ (113) IA:CONTACT WITH UNITED STATES SENDING STATE OFFICE (USSSO),

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AMEMBASSY ROME, ITALY/30APR98... (COPY 23B1/CALE ONLY)

✓ (114) IA:CONTACT WITH UNITED STATES SENDING STATE OFFICE (USSSO), AMEMBASSY ROME, ITALY/30APR98... (COPY 23B1/CALE ONLY)

✓ (115) IA:CONTACT WITH UNITED STATES SENDING STATE OFFICE (USSSO),

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AMEMBASSY ROME, ITALY/30APR98... (COPY 23B1/CALE ONLY)

✓ (116) IA:SCREENING INTERVIEWS, FIRE STATION PERSONNEL/30APR98... (COPY 23B1/CALE ONLY)

✓ (117) IA:RECEIPT OF PERTINENT AVIANO AIR BASE SECURITY POLICE DESK BLOTTER ENTRIES FOR 03FEB98 AND 04FEB98/30APR98... (COPY 23B1/CALE ONLY)

✓ (118) IA:RE-INTERVIEW OF MAJOR NCIS (b)(6), (b)(7)(C) /01APR98... (COPY 23B1/CALE ONLY)

✓ (119) STATEMENT OF NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

✓ (120) STATEMENT OF NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

(121) STATEMENT OF /01MAY98... (COPY 23B1/CALE ONLY)

(122) STATEMENT OF NCIS (b)(6), (b)(7)(C) /01APR98... (COPY 23B1/CALE ONLY)

(123) STATEMENT OF /01MAY98... (COPY 23B1/CALE ONLY)

(124) IA:TIME LINE OF REPORTED LOW-LEVEL COMPLAINTS TO 31ST FIGHTER WING/01MAY98... (COPY 23B1/CALE ONLY)

(125) IA:RESULTS OF SCREENING INTERVIEWS - VMAQ-4 MAINTENANCE PERSONNEL/01MAY98... (COPY 23B1/CALE ONLY)

(126) IA:RESULTS OF INTERVIEW (LCOL NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

(127) IA:INTERVIEW OF SGT NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

(128) IA:RESULTS OF INTERVIEW (MSGT NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

(129) IA:RESULTS OF INTERVIEW (1ST LNCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

(130) IA:RESULTS OF INTERVIEW (TSGT NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY 23B1/CALE ONLY)

(131) IA:ATTEMPTS TO INTERVIEW CAPTAIN NCIS (b)(6), (b)(7)(C) /01MAY98... (COPY

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PAGE 6

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

23B1/CALE ONLY)

(132) STATEMENT OF NCIS (b)(6), (b)(7)(C) /02MAY98... (COPY 23B1/CALE ONLY)

(133) STATEMENT OF CPL NCIS (b)(6), (b)(7)(C) /02MAY98... (COPY 23B1/CALE ONLY)

(134) STATEMENT OF CAPT NCIS (b)(6), (b)(7)(C) /02MAY98... (COPY 23B1/CALE ONLY)

(135) IA:RESULTS OF INTERVIEW - LCPL NCIS (b)(6), (b)(7)(C) /02MAY98... (COPY 23B1/CALE ONLY)

(136) IA:RE-INTERVIEW OF Q-4 PERSONNEL IDENTIFIED AS BEING AT AN INFORMAL BRIEFING BY CAPT. NCIS (b)(6), (b)(7)(C) /02MAY98... (COPY 23B1/CALE ONLY)

(137) STATEMENT OF MAJ NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)

000249

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- (138) STATEMENT OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (139) STATEMENT OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**
- (140) STATEMENT OF TSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (141) STATEMENT OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (142) STATEMENT OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (142) STATEMENT OF CPL [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (143) IA:RESULTS OF INTERVIEW WITH CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (144) IA:CONTACT WITH UNITED STATES SENDING STATE OFFICE (USSSO), AMEMBASSY ROME, ITALY/04MAY98... (COPY 23B1/CALE ONLY)
- (145) IA:CONTACT WITH UNITED STATES SENDING STATE OFFICE (USSSO), AMEMBASSY ROME, ITALY/04MAY98... (COPY 23B1/CALE ONLY)
- (146) IA:SCREENING INTERVIEWS, TRANSALERT PERSONNEL/04MAY98... (COPY 23B1/CALE ONLY)
- (147) IA:SCREENING INTERVIEWS, EOD PERSONNEL/04MAY98... (COPY 23B1/CALE ONLY)
- (148) IA:RESULTS OF INTERVIEW (TS [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (149) IA:INTERVIEW OF 1ST LT [REDACTED] NCIS (b)(6), (b)(7)(C) , USAF/04MAY98... (COPY 23B1/CALE ONLY)
- (150) IA:SCREENING INTERVIEWS OF 31ST FIGHTER WING SECURITY PERSONNEL/04MAY98... (COPY 23B1/CALE ONLY)
- (151) IA:RECEIPT OF PERTINENT AVIANO AIR BASE SECURITY POLICE JOURNAL INFORMATION/04MAY98... (COPY 23B1/CALE ONLY)
- (152) IA:EVIDENCE INVENTORY/04MAY98... (COPY 23B1/CALE ONLY)
- (153) IA:INTERVIEW OF AMN [REDACTED] NCIS (b)(6), (b)(7)(C) USAF/04MAY98... (COPY 23B1/CALE ONLY)
- (154) IA:INTERVIEW OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/04MAY98... (COPY 23B1/CALE ONLY)
- (155) IA:INTERVIEW OF MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) /04MAY98... (COPY 23B1/CALE ONLY)
- (156) STATEMENT OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)
- (157) STATEMENT OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)

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PAGE 7

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

- (158) STATEMENT OF MAJ [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)
- (159) STATEMENT OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)
- (160) IA:INTERVIEW OF BRIG GEN [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)

000250

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(161) IA:REVIEW OF VMAQ-4 SQUADRON E-MAIL SERVER AND PROCEDURES/05MAY98... (COPY 23B1/CALE ONLY)

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(162) IA:RESULTS OF INTERVIEW [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)

(163) IA:SCREENING INTERVIEWS, TRANSALERT PERSONNEL/05MAY98... (COPY 23B1/CALE ONLY)

(164) IA:INTERVIEW OF SRAN [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)

(165) IA:INTERVIEW OF SRA [REDACTED] NCIS (b)(6), (b)(7)(C) /05MAY98... (COPY 23B1/CALE ONLY)

(166) IA:RESULTS OF INTERVIEW (CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C) AND CORPORAL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC) /06MAY98... (COPY 23B1/CALE ONLY)

(167) IA:RESULTS OF SCREENING INTERVIEWS OF VMAQ-4 MAINTENANCE CREW/UNDATED... (COPY 23B1/CALE ONLY)

(168) IA:REVIEW OF VMAQ-4 LOW LEVEL FLIGHTS/06MAY98... (COPY 23B1/CALE ONLY)

(169) IA:CHECK OF BASE CP RECORDS/06MAY98... (COPY 23B1/CALE ONLY)

(170) IA:ACQUISITION OF SERVER BACK-UP TAPES/06MAY98... (COPY 23B1/CALE ONLY)

(171) IA:INTERVIEW OF AMM [REDACTED] NCIS (b)(6), (b)(7)(C) USAF/06MAY98... (COPY 23B1/CALE ONLY)

(172) IA:RESULTS OF INTERVIEW: COL [REDACTED] NCIS (b)(6), (b)(7)(C) /06MAY98... (COPY 23B1/CALE ONLY)

(173) IA:INTERVIEW OF COL [REDACTED] NCIS (b)(6), (b)(7)(C), USAF/06MAY98... (COPY 23B1/CALE ONLY)

(174) IA:INTERVIEW OF SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF/06MAY98... (COPY 23B1/CALE ONLY)

(175) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /07MAY98... (COPY 23B1/CALE ONLY)

(176) STATEMENT OF MAJ [REDACTED] NCIS (b)(6), (b)(7)(C) /07MAY98... (COPY 23B1/CALE ONLY)

(177) STATEMENT OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) /07MAY98... (COPY 23B1/CALE ONLY)

(178) IA:ATTEMPTS TO INTERVIEW [REDACTED] NCIS (b)(6), (b)(7)(C) /07MAY98... (COPY 23B1/CALE ONLY)

(179) IA:RESULTS OF INTERVIEW OF SRA [REDACTED] NCIS (b)(6), (b)(7)(C) /07MAY98... (COPY 23B1/CALE ONLY)

(180) IA:RESULTS OF INTERVIEW OF USAF MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) /07MAY98... (COPY 23B1/CALE ONLY)

(181) IA:INTERVIEW OF CW0 [REDACTED] NCIS (b)(6), (b)(7)(C) /02MAY98... (COPY 23B1/CALE ONLY)

(182) IA:INTERVIEW OF LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/12MAY98... (COPY 23B1/CALE ONLY)

(183) IA:RECEIPT OF LEAVE AND TRAINING LISTS/12MAY98... (COPY 23B1/CALE ONLY)

(184) IA:INTERVIEW OF 1LT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/13MAY98... (COPY 23B1/CALE ONLY)

(185) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /14MAY98... (COPY 23B1/CALE ONLY)

(186) IA:RESULTS OF TELEPHONIC CONTACT WITH [REDACTED] NCIS (b)(6), (b)(7)(C)

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PAGE 8

15APR98-0023-0036-7HMS

11AUG99

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GRANERO/18MAY98... (COPY 23B1/CALE ONLY)

(187) IA:REVIEW OF TERPES RRS TAPE LOG/21MAY98... (COPY 23B1/CALE ONLY)  
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(188) IA:INTERVIEW OF HM1 [REDACTED] NCIS (b)(6), (b)(7)(C) /26MAY98... (COPY 23B1/CALE ONLY)

(189) IA:INQUIRIES REGARDING MISHAP CREW NAVCARD/28MAY98... (COPY 23B1/CALE ONLY)

(190) IA:TRANSLATION OF ITALIAN WITNESS [REDACTED] NCIS (b)(6), (b)(7)(C) DEPOSITION/30MAY98... (COPY 23B1/CALE ONLY)

(191) IA:TRANSLATION OF ITALIAN WITNESS [REDACTED] NCIS (b)(6), (b)(7)(C) DEPOSITION/30MAY98... (COPY 23B1/CALE ONLY)

(192) IA:TRANSLATION OF ITALIAN WITNESS [REDACTED] NCIS (b)(6), (b)(7)(C) DEPOSITION/30MAY98... (COPY 23B1/CALE ONLY)

(193) IA:TRANSLATION OF ITALIAN WITNESS [REDACTED] NCIS (b)(6), (b)(7)(C) DEPOSITION/30MAY98... (COPY 23B1/CALE ONLY)

(194) IA:PHOTOGRAPHIC LOG, INCIDENT AIRCRAFT/01JUN98... (COPY 23B1/CALE ONLY)

(195) IA:EXAMINATION OF EA6B PROWLER/01JUN98... (COPY 23B1/CALE ONLY)

(196) IA:RECEIPT AND DUBBING OF RADAR CONTROL, CONTROL TOWER TAPES AND FLIGHT DATA RECORDER/02JUN98... (COPY 23B1/CALE ONLY)

(197) IA:TRANSLATION OF ITALIAN RECORD FOR DOCUMENTS AND EVIDENCE TRANSFERRED/02JUN98... (COPY 23B1/CALE ONLY)

(198) IA:TRANSLATION OF ITALIAN PUBLIC PROSECUTOR AUTHORIZATION TO RETRIEVE EVIDENCE/02JUN98... (COPY 23B1/CALE ONLY)

(199) IA:TRANSLATION OF ITALIAN RECORD FOR DOCUMENTS AND EVIDENCE TRANSFERRED/02JUN98... (COPY 23B1/CALE ONLY)

(200) IA:TRANSLATION OF ITALIAN PUBLIC PROSECUTOR AUTHORIZATION TO RETRIEVE EVIDENCE/02JUN98... (COPY 23B1/CALE ONLY)

(201) IA:TRANSLATION OF ITALIAN PUBLIC PROSECUTOR AUTHORIZATION TO RETRIEVE EVIDENCE/02JUN98... (COPY 23B1/CALE ONLY)

(202) IA:TRANSLATION OF ITALIAN POLICE (CARABINIERI) RECORD FOR DOCUMENTS AND EVIDENCE TRANSFERRED/03JUN98... (COPY 23B1/CALE ONLY)

(203) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /08JUN98... (COPY 23B1/CALE ONLY)

(204) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /08JUN98... (COPY 23B1/CALE ONLY)

(205) IA:REVIEW OF ITALIAN AUTOPSY REPORT/08-11JUN98... (COPY 23B1/CALE ONLY)

(206) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /12JUN98... (COPY 23B1/CALE ONLY)

(207) IA:GONDOLA VIEWING AND EVIDENCE SEIZURE/18JUN98... (COPY 23B1/CALE ONLY)

(208) STATEMENT OF [REDACTED] NCIS (b)(6), (b)(7)(C) /19JUN98... (COPY 23B1/CALE ONLY)

(209) IA:PRINTS DEVELOPED FROM STILL CAMERA EXPOSURES/10JUN98... (COPY 23B1/CALE ONLY)

(210) IA:TRANSCRIPTION OF TAPED TELEPHONE CONVERSATION/11JUN98... (COPY 23B1/CALE ONLY)

(211) IA:REVIEW OF 8MM VIDEO TAPE/16JUN98... (COPY 23B1/CALE ONLY)

(212) IA:ATTEMPTED REVIEW OF FLIGHT DATA RECORDER AND COPY/01JUL98... (COPY 23B1/CALE ONLY)

(213) IA:REVIEW OF RRS TAPE AND 8MM COPY OF FLIGHT

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PAGE 9

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I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

- DATA/09JUL98... (COPY 23B1/CALE ONLY)
- (214) IA:INTERVIEW OF ~~MANCIS (b)(6), (b)(7)(C)~~ JUL98... (COPY 23B1/CALE ONLY)
- (215) IA:INTERVIEW OF ~~CONCIS (b)(6), (b)(7)(C)~~ 10JUL98... (COPY 23B1/CALE ONLY)
- (216) IA:EVIDENCE PROCEDURES DURING VIEWING OF MISHAP AIRCRAFT/22JUL98... (COPY 23B1/CALE ONLY)
- (217) IA:SEIZURE OF EVIDENCE FROM EA-6B PROWLER BUREAU# 163045/23JUL98... (COPY 23B1/CALE ONLY)
- ~~(218) TRACE EVIDENCE LABORATORY REPORT REGARDING EXAMINATION OF GONDOLA CABLES/23JUL98... (COPY 23B1/CALE ONLY)~~
- (219) IA:ACQUISITION OF EVIDENCE/29JUL98... (COPY 23B1/CALE ONLY)
- (220) IA:SEIZURE OF EVIDENCE/31JUL98... (COPY 23B1/CALE ONLY)
- (221) IA:INTERVIEW OF CAPT ~~NCIS (b)(6), (b)(7)(C)~~ 18AUG98... (COPY 23B1/CALE ONLY)
- (222) IA:INQUIRIES AT NASA LEWIS RESEARCH CENTER/18AUG98... (COPY 23B1/CALE ONLY)
- (223) IA:VMAQ-2 E-MAIL BACK-UP SERVER TAPES/09-14SEP98... (COPY 23B1/CALE ONLY)
- (224) STATEMENT OF ~~NCIS (b)(6), (b)(7)(C)~~ /05OCT98... (COPY 23B1/CALE ONLY)
- (225) IA:RESULTS OF INQUIRIES/CONFUSION SNOWBOARDS/05OCT98... (COPY 23B1/CALE ONLY)
- (226) IA:REVIEW OF VMAQ-2 PERSONNEL E-MAILS/05-08OCT98... (COPY 23B1/CALE ONLY)
- (227) IA:RESULTS OF ROUTE SURVEY/10OCT98... (COPY 23B1/CALE ONLY)
- (228) IA:RESULTS OF INQUIRIES/COLD FUSION SPORTS, INC/13OCT98... (COPY 23B1/CALE ONLY)
- (229) IA:RESULTS OF INQUIRIES/PARAGON CAPITAL GROUP/14OCT98... (COPY 23B1/CALE ONLY)
- (230) IA:TESTING OF AN/APX-72 TRANSPONDER SYSTEM/15OCT98... (COPY 23B1/CALE ONLY)
- (231) IA:ACQUISITION OF EVIDENCE/20OCT98... (COPY 23B1/CALE ONLY)
- (232) IA:RESULTS OF CONTACT WITH DSS/22OCT98... (COPY 23B1/CALE ONLY)
- (233) IA:RESULTS OF GPS/27OCT98... (COPY 23B1/CALE ONLY)
- (234) IA:INTERVIEW OF ~~NCIS (b)(6), (b)(7)(C)~~ ITALIAN WITNESS TO MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE ONLY)
- (235) IA:INTERVIEW OF ~~NCIS (b)(6), (b)(7)(C)~~ ITALIAN WITNESS TO MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE ONLY)
- (236) IA:INTERVIEW OF ~~NCIS (b)(6), (b)(7)(C)~~ ITALIAN WITNESS TO MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE ONLY)
- (237) IA:INTERVIEW OF ITALIAN WITNESS TO MARINE EA-6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE ONLY)
- (238) IA:INTERVIEW OF ~~NCIS (b)(6), (b)(7)(C)~~ ITALIAN WITNESS TO MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE ONLY)
- (239) IA:INTERVIEW OF ~~NCIS (b)(6), (b)(7)(C)~~ ITALIAN WITNESS TO MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE ONLY)

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(240) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) ITALIAN WITNESS TO  
MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY

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15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

23B1/CALE ONLY)

- (241) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) ITALIAN WITNESS TO  
MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY  
23B1/CALE ONLY)
- (242) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) ITALIAN WITNESS TO  
MARINE EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY  
23B1/CALE ONLY)
- (243) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C), ITALIAN WITNESS TO MARINE  
EA6B FLIGHT OVER LUSON, ITALY/27OCT98... (COPY 23B1/CALE  
ONLY)
- (244) IA:ATTEMPT TO LOCATE [REDACTED] NCIS (b)(6), (b)(7)(C) /13NOV98... (COPY  
23B1/CALE ONLY)
- (245) IA:ATTEMPT TO LOCATE CONFUSION SNOWBOARDS/13NOV98... (COPY  
23B1/CALE ONLY)
- (246) IA:ACQUISITION OF TRAINING INFORMATION/13NOV98... (COPY  
23B1/CALE ONLY)
- (247) IA:INTERVIEW OF MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) /17NOV98... (COPY  
23B1/CALE ONLY)
- (248) IA:ATTEMPT TO LOCATE [REDACTED] NCIS (b)(6), (b)(7)(C) 17NOV98... (COPY  
23B1/CALE ONLY)
- (249) IA:INTERVIEW OF MR. [REDACTED] NCIS (b)(6), (b)(7)(C) /17NOV98... (COPY  
23B1/CALE ONLY)
- (250) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) /17NOV98... (COPY 23B1/CALE  
ONLY)
- (251) IA:RESULTS OF INTERVIEW [REDACTED] NCIS (b)(6), (b)(7)(C) 17NOV98... (COPY 23B1/CALE  
ONLY)
- (252) IA:INTERVIEW OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC/19NOV98...  
(COPY 23B1/CALE ONLY)
- (253) IA:ATTEMPT TO LOCATE CONFUSION SNOWBOARDS/20NOV98... (COPY  
23B1/CALE ONLY)
- (254) IA:ATTEMPT TO LOCATE [REDACTED] NCIS (b)(6), (b)(7)(C) /22NOV98... (COPY  
23B1/CALE ONLY)
- (255) IA:ATTEMPT TO LOCATE [REDACTED] NCIS (b)(6), (b)(7)(C) 25NOV98... (COPY  
23B1/CALE ONLY)
- (256) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) ITALIAN WITNESS TO MARINE  
EA6B FLIGHT OVER LUSON, ITALY/27NOV98... (COPY 23B1/CALE  
ONLY)
- (257) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) ITALIAN WITNESS TO  
MARINE EA6B FLIGHT OVER LUSON, ITALY/27NOV98... (COPY  
23B1/CALE ONLY)
- (258) IA:INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C) ITALIAN WITNESS TO MARINE  
EA6B FLIGHT OVER LUSON, ITALY/27NOV98... (COPY 23B1/CALE  
ONLY)
- (259) IA:ATTEMPT TO LOCATE [REDACTED] NCIS (b)(6), (b)(7)(C) /01DEC98... (COPY

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(260) IA:ATTEMPT TO LOCATE [REDACTED] NCIS (b)(6), (b)(7)(C) /04DEC98... (COPY 23B1/CALE ONLY)

(261) IA:INTERVIEW OF MR. [REDACTED] NCIS (b)(6), (b)(7)(C) /06JAN99... (COPY 23B1/CALE ONLY)

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(262) IA:RESULTS OF LEXIS/NEXIS DATA BASE QUERIES, NCIS (b)(6), (b)(7)(C) /07JAN99... (COPY 23B1/CALE ONLY)

(263) IA:INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C) /07JAN99... (COPY 23B1/CALE ONLY)

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PAGE 11

15APR98-0023-0036-7HMS

11AUG99

I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

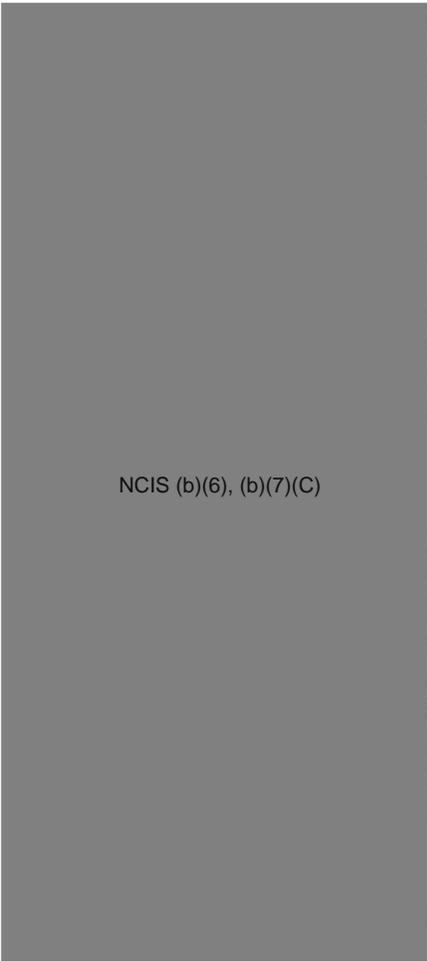
(264) IA: [REDACTED] NCIS (b)(6), (b)(7)(C) /27JAN99... (COPY 23B1/CALE ONLY)

(265) IA:AFIP MEDICAL EXAMINER AUTOPSY REPORT REVIEW/30JAN99... (COPY 23B1/CALE ONLY)

(266) IA:ACQUISITION OF EVIDENCE/02FEB99... (COPY 23B1/CALE ONLY)

(267) IA:INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C) /05FEB99... (COPY 23B1/CALE ONLY)

PARTICIPATING AGENTS



NCIS (b)(6), (b)(7)(C)

[REDACTED], NCISFO EUROPE, NAPLES, IT  
SFO EUROPE, NAPLES, IT  
ISFO EUROPE, NAPLES, IT  
CISFO CAROLINAS, CLNC  
NCISFO CAROLINAS, CLNC  
A, NCISFO EUROPE, NAPLES, IT  
SA, NCISRA ROTA, SP  
, NCISRU ROME, IT  
SA, NCISFO EUROPE, NAPLES, IT  
TIGATOR, NCISFO EUROPE, NAPLES, IT  
ISRU SIGONELLA, IT  
S, NCISRU SIGONELLA, IT  
SFO EUROPE, NAPLES, IT  
NCISRU LONDON, UK  
LA MADDALENA, SARDINIA, IT  
NCISRA CORPUS CHRISTI, TX  
LA CHERRY POINT, NC  
FO CAROLINAS, CLNC  
RA WHIDBEY ISLAND, WA  
LA NEW ORLEANS, LA  
, NCISFO WASHINGTON, DC  
A, NCISRA EL TORO, CA  
ISRA EL TORO, CA  
ISRU ANDREWS AFB, MD  
ISRA QUANTICO, VA  
NCISRA QUANTICO, VA  
NCISRA EL TORO, CA  
TOR, NCISRU CLEVELAND, OH  
NCISHQ WASHINGTON, DC

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NCIS (b)(6), (b)(7)(C)

SA, NCISRA PATUXENT RIVER, MD  
SA, NCISRA CAMP PENDLETON, CA  
SA, NCISRA BRUNSWICK, ME  
NCISRA EL TORO, CA  
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PAGE 12 LAST NCIS (b)(6), (b)(7)(C)  
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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF [REDACTED] NCIS (b)(6), (b)(7)(C)

On 06Apr98, Ms [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at her place of work regarding her relationship with and knowledge of Captain [REDACTED] NCIS (b)(6), (b)(7)(C) indicated she had known [REDACTED] NCIS (b)(6), (b)(7)(C) for a little over two years, and had been [REDACTED] NCIS (b)(6), (b)(7)(C)

Regarding her knowledge of the aircraft mishap involving Capt [REDACTED] NCIS (b)(6), (b)(7)(C) as the mishap pilot in Italy, [REDACTED] NCIS (b)(6), (b)(7)(C) indicated she had no knowledge of the incident and [REDACTED] NCIS (b)(6), (b)(7)(C) had not discussed it with her. [REDACTED] NCIS (b)(6), (b)(7)(C) said shortly after she learned of the mishap she e-mailed [REDACTED] NCIS (b)(6), (b)(7)(C) a Marine Corps e-mail address just to check on his welfare. [REDACTED] NCIS (b)(6), (b)(7)(C) said [REDACTED] NCIS (b)(6), (b)(7)(C) responded stating he was OK, but he could not discuss the mishap with her. [REDACTED] NCIS (b)(6), (b)(7)(C) said she had been watching [REDACTED] NCIS (b)(6), (b)(7)(C) apartment while he was gone, and sometime in late Feb98 the apartment was broken into and items were stolen. [REDACTED] NCIS (b)(6), (b)(7)(C) said she communicated with him a great deal over the e-mail system, but most of the communications had to do with the break-in. In earlier e-mails [REDACTED] NCIS (b)(6), (b)(7)(C) and [REDACTED] NCIS (b)(6), (b)(7)(C) had mentioned his F-18 transition, and was very excited about this.

When asked how Capt [REDACTED] NCIS (b)(6), (b)(7)(C) acted since his return [REDACTED] NCIS (b)(6), (b)(7)(C) indicated he was acting differently than before, and was upset about the whole incident. [REDACTED] NCIS (b)(6), (b)(7)(C) opined the incident and the subsequent USMC inquiry were not handled as well as they could have been. [REDACTED] NCIS (b)(6), (b)(7)(C) said [REDACTED] NCIS (b)(6), (b)(7)(C) was not a daredevil or thrill seeker, and the incident definitely was not the result of anything intentional on [REDACTED] NCIS (b)(6), (b)(7)(C) part. [REDACTED] NCIS (b)(6), (b)(7)(C) said the first time she actually spoke on the phone with [REDACTED] NCIS (b)(6), (b)(7)(C) after the incident was 14Feb98 (Valentines Day), and [REDACTED] NCIS (b)(6), (b)(7)(C) did not discuss the mishap.

[REDACTED] NCIS (b)(6), (b)(7)(C) said after the incident she was contacted by local news persons requesting an interview which she did not grant. [REDACTED] NCIS (b)(6), (b)(7)(C) was unable to determine how the news people got her name. [REDACTED] NCIS (b)(6), (b)(7)(C) said [REDACTED] NCIS (b)(6), (b)(7)(C) but still had a close friendship with [REDACTED] NCIS (b)(6), (b)(7)(C) whose name was [REDACTED] NCIS (b)(6), (b)(7)(C) (DFI), and lived somewhere in Southern California. [REDACTED] NCIS (b)(6), (b)(7)(C) said up until this point [REDACTED] NCIS (b)(6), (b)(7)(C) has not shared any information from the incident with her.

[REDACTED] NCIS (b)(6), (b)(7)(C) said during the time she has known [REDACTED] NCIS (b)(6), (b)(7)(C) he has never discussed much of his work with her. [REDACTED] NCIS (b)(6), (b)(7)(C) said [REDACTED] NCIS (b)(6), (b)(7)(C) had never shown her any photographs or videos which were taken while in flight.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

## BIOGRAPHICAL DATA

EMPLOYMENT: West Carteret County Water Company

SSAN [REDACTED]

DOB: NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

[REDACTED] SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: [REDACTED]  
OFFICE: NCISFO Carolinas

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 08Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC regarding his knowledge of specific information relative to this investigation and general background and procedural information from his squadron. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) is a EA6B pilot with VMAQ-2, and has a secondary job in the squadron as the airframes officer.

[REDACTED] NCIS (b)(6), (b)(7)(C) indicated he had flown route AV047, the mishap route, once during the most recent deployment of his squadron to Aviano, Italy on a date of 10Dec97. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated he had flown this route twice during his squadrons previous deployment during Mar96-Sep96. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated this was a popular route to fly primarily due to the terrain features and scenery. [REDACTED] NCIS (b)(6), (b)(7)(C) said because he and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) were both pilots, he would not have flown with him, but indicated he had flown with both Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and Captain [REDACTED] NCIS (b)(6), (b)(7)(C) ECMO's in flights he had piloted. [REDACTED] NCIS (b)(6), (b)(7)(C) said he had never flown with Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

[REDACTED] NCIS (b)(6), (b)(7)(C) was asked to explain what is involved in planning and briefing a flight and did so. [REDACTED] NCIS (b)(6), (b)(7)(C) said normally charts would be located and reference would be made to general planning books along with referring to [REDACTED] NCIS (b)(6), (b)(7)(C) documents. From these longitude, latitude, bearing, and distance would be determined. [REDACTED] NCIS (b)(6), (b)(7)(C) said the brief could be given by the pilot or an ECMO who was also a mission commander, but the pilot was always the aircraft commander. During the brief the briefer would talk about general administration of the flight and would give a big picture or overall of the mission, then the individual legs along the route would be briefed along with minimum altitudes. [REDACTED] NCIS (b)(6), (b)(7)(C) said typically you would brief minimum altitudes during the brief, and sometimes certain flights would have a window for minimum altitudes between for instance 500-3000 ft AGL. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated when he flew AV047 on 10Dec98, 1000 ft AGL was briefed.

[REDACTED] NCIS (b)(6), (b)(7)(C) indicated his responsibilities as pilot were primarily airspeed, altitude, and terrain clearance, and ECMO1's primary responsibilities were navigation. However, the pilot and ECMO backed each other up on their duties, as they generally have the same instruments available to them. [REDACTED] NCIS (b)(6), (b)(7)(C) said the crew members in positions ECMO2 and ECMO3 have Mean Sea Level (MSL) altimeter as well as a speed and attitude indicator available to them. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated there is a term used among crew members called "knock it off" or "comfort level". [REDACTED] NCIS (b)(6), (b)(7)(C) said this simply means if the aircraft is doing something unauthorized or simply that makes any member of the crew uncomfortable, the pilot is supposed to make adjustments to return things to a more suitable condition.

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TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
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When asked what a knee board is used for, NCIS (b)(6), (b)(7)(C) said it was something to write on that also had information on it like heading, radio frequencies, etc. NCIS (b)(6), (b)(7)(C) said he had never seen 2000 ft AGL on any of the knee board cards, and said he would not know that this would be interpreted as an altitude restriction if he had seen it. NCIS (b)(6), (b)(7)(C) said he had never seen anything about a 2000 ft AGL altitude restriction until after the mishap when Major NCIS (b)(6), (b)(7)(C) had asked him about it and had shown him a document where the restriction was listed. NCIS (b)(6), (b)(7)(C) said his understanding of the altitude restrictions was that it was 1000 ft AGL, and this was based on an order put out by Col NCIS (b)(6), (b)(7)(C) (NFI) which stated aircraft not equipped with the Heads Up Display (HUD) could not fly below this altitude. NCIS (b)(6), (b)(7)(C) said he recalled a southern leg of the AV047 route had an altitude restriction in places of 4000 ft AGL due to it being a noise sensitive area.

NCIS (b)(6), (b)(7)(C) was asked to explain his understanding of the term "cross-compartment" as it related to aviation and did so. NCIS (b)(6), (b)(7)(C) said this simply meant moving your aircraft from one side of an elevated terrain feature to the other side.

NCIS (b)(6), (b)(7)(C) was asked if he attended flight school with any members of the mishap crew and indicated although not in the same classes, Captain NCIS (b)(6), (b)(7)(C) was slightly behind him at both Pensacola, FL and Meridian, MS.

NCIS (b)(6), (b)(7)(C) was asked to describe Lt Colonel NCIS (b)(6), (b)(7)(C) the commanding officer (CO) of his squadron and indicated the CO was very much an attention to details person who often micro manages things within the squadron to include briefs before flight right down to weather information and routes. NCIS (b)(6), (b)(7)(C) said the CO was very conservative and by the book. NCIS (b)(6), (b)(7)(C) said Lt Colonel NCIS (b)(6), (b)(7)(C) executive officer (XO) was very much the same and he described him as being a straight arrow and by the book.

NCIS (b)(6), (b)(7)(C) said he was just coming into the squadron ready room when he heard about the mishap. NCIS (b)(6), (b)(7)(C) said because of his job as airframes officer he was involved in getting over to the aircraft to assess damage initially and did not have any contact with the mishap crew. NCIS (b)(6), (b)(7)(C) said he eventually got over to the ready room where most if not all the squadron officers who had not already returned to Cherry Point on advance party had gathered. NCIS (b)(6), (b)(7)(C) said he did not have any direct contact with any of the air crew and did not hear anyone saying anything about the radalt malfunctioning. NCIS (b)(6), (b)(7)(C) said he observed people just involved in consoling the air crew. NCIS (b)(6), (b)(7)(C) said although he did not have direct communication with the air crew he heard that Captain NCIS (b)(6), (b)(7)(C) had indicated he came over a ridge line and saw a cable in front of him that he thought would take his head off, so he tried to fly

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TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

under the cable. NCIS (b)(6), (b)(7)(C) said he heard this from a number of people, but he was unsure who specifically, but again said he had no direct communication with any member of the air crew about the specific mishap.

NCIS (b)(6), (b)(7)(C) said he had read the DG binder when he first got to Aviano, but had not referred to it since then. NCIS (b)(6), (b)(7)(C) said he did not remember being at an All Officers Meeting (AOM) when Captain NCIS (b)(6), (b)(7)(C) held up the binder and pointed out that there was new information which all the aviators needed to become familiar with.

NCIS (b)(6), (b)(7)(C) was asked how long it would or should take for an air crew to declare an emergency of the magnitude of this mishap. NCIS (b)(6), (b)(7)(C) said in an emergency the order of business is to aviate, navigate, and communicate. NCIS (b)(6), (b)(7)(C) said this should not take a long period of time, and probably not more than 4-5 minutes maximum if they were high enough for line of sight communications. NCIS (b)(6), (b)(7)(C) said they were only approximately 60 miles from Aviano when the mishap occurred, so probably not much more than 10 minutes away depending on air speed.

NCIS (b)(6), (b)(7)(C) said he had heard about Captain NCIS (b)(6), (b)(7)(C) being "yelled at" by Lt Colonel NCIS (b)(6), (b)(7)(C) and Major NCIS (b)(6), (b)(7)(C) for making a low transition, but said he did not know any specifics about it or whether it was justified or not.

NCIS (b)(6), (b)(7)(C) was asked about why a video camera would have been located in the cockpit of the mishap aircraft. NCIS (b)(6), (b)(7)(C) said it would have been to videotape the low level route. NCIS (b)(6), (b)(7)(C) said he had knowledge the video camera belonged to Captain NCIS (b)(6), (b)(7)(C) and Captain NCIS (b)(6), (b)(7)(C) wanted it back.

NCIS (b)(6), (b)(7)(C) said low level routes are normally flown at 420 knots, but if the timing on the route gets behind the speed may be increased to make up time. When asked how he thought this mishap might have happened, and why the aircraft may have been so low NCIS (b)(6), (b)(7)(C) said there was an optical illusion coming into the valley which made you appear to be higher which may have been part of the problem.

NCIS (b)(6), (b)(7)(C) related an incident when Captain NCIS (b)(6), (b)(7)(C) was piloting a mission flight into Bosnia, and Captain NCIS (b)(6), (b)(7)(C) was his ECMO1 and had gotten disoriented and lost. NCIS (b)(6), (b)(7)(C) said NCIS (b)(6), (b)(7)(C) and "chewed-out" NCIS (b)(6), (b)(7)(C) because he felt it may cause him some problems in his F-18 transition. NCIS (b)(6), (b)(7)(C) said NCIS (b)(6), (b)(7)(C) was considered a very good pilot and was probably considered the best according to the ECMO's.

NCIS (b)(6), (b)(7)(C) said Captain NCIS (b)(6), (b)(7)(C) was very conscientious and by the book. NCIS (b)(6), (b)(7)(C) said he had flown with NCIS (b)(6), (b)(7)(C) about 3 weeks prior to the incident, and due to the fact NCIS (b)(6), (b)(7)(C) had been out of the

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cockpit for a while, was restricted to a one mile visibility restriction. NCIS (b)(6), (b)(7)(C) said NCIS (b)(6), (b)(7)(C) would not break the rules even though the visibility was only 1/8 of a mile less than the restriction.

Regarding a radalt problem NCIS (b)(6), (b)(7)(C) had experienced in the mishap aircraft the morning prior to the mishap NCIS (b)(6), (b)(7)(C) said the radalt had alarmed while they were at high altitude during the flight so he simply turned it off. NCIS (b)(6), (b)(7)(C) said he checked out the radalt at the altitudes where it is designed to work while on their approach, and the radalt worked fine. NCIS (b)(6), (b)(7)(C) said because it worked fine on the approach he did not "gripe" the radalt. NCIS (b)(6), (b)(7)(C) said he had heard there was a problem with the radalt in a flight 1-2 weeks earlier while Captain NCIS (b)(6), (b)(7)(C) was flying the aircraft.

## BIOGRAPHICAL DATA

EMPLOYMENT: Captain, USMC, VMAQ-2, MCAS Cherry Point, NC

SSAN: [REDACTED]

DOB: NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: NCIS (b)(6), (b)(7)(C)

OFFICE: NCISFO Carolinas

DATE TYPED: 15APR98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 08Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of this incident and other relative procedural information in his squadron. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) is an Electronic Countermeasures Officer (ECMO) in VMAQ-2, and also serves as the ground training officer for the squadron.

[REDACTED] NCIS (b)(6), (b)(7)(C) said the only member of the mishap crew he attended any aviation related formal training with was Captain [REDACTED] NCIS (b)(6), (b)(7)(C) said [REDACTED] NCIS (b)(6), (b)(7)(C) was actually 1-2 months ahead of him in a training cycle, and he had very limited contact with him. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated he had flown with all the mishap crew except Capt [REDACTED] NCIS (b)(6), (b)(7)(C) and had specifically flown as ECMO1 several times with Capt [REDACTED] NCIS (b)(6), (b)(7)(C) the pilot. [REDACTED] NCIS (b)(6), (b)(7)(C) described the ECMO1 job as primarily being the navigator and backing up the pilot.

[REDACTED] NCIS (b)(6), (b)(7)(C) confirmed he did have knowledge there was a 2000 ft AGL restriction on local area flying in Italy, and assumed everyone else also knew this. [REDACTED] NCIS (b)(6), (b)(7)(C) specifically remembered Lt [REDACTED] NCIS (b)(6), (b)(7)(C) asking him, "Did you read the binder?" [REDACTED] NCIS (b)(6), (b)(7)(C) said he answered in the affirmative, and this is why he thought Lt [REDACTED] NCIS (b)(6), (b)(7)(C) had read the binder, and was also aware of the restriction. [REDACTED] NCIS (b)(6), (b)(7)(C) said he had felt Lt [REDACTED] NCIS (b)(6), (b)(7)(C) and others had properly briefed the altitude restriction during briefings for the mishap low level route when he had flown it. However, since the mishap he has spoken with other crew members who say they briefed 1000 ft AGL, and [REDACTED] NCIS (b)(6), (b)(7)(C) said he might be mistaken.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he did remember someone holding up the black binder at an All Officers Meeting (AOM). [REDACTED] NCIS (b)(6), (b)(7)(C) said he did not specifically remember who held it up, but it was mentioned that everyone needed to read because there was new information. [REDACTED] NCIS (b)(6), (b)(7)(C) said he did not remember altitude restrictions specifically being mentioned.

When asked what the term "cross-compartment" meant in relation to aviation he said his understanding was this meant when you fly from one side of elevated terrain into lower terrain on the other side.

[REDACTED] NCIS (b)(6), (b)(7)(C) had no knowledge of a "low-transition" Cap [REDACTED] NCIS (b)(6), (b)(7)(C) had made while taking off a week or two prior to the mishap flight. [REDACTED] NCIS (b)(6), (b)(7)(C) was asked about a mission he had flown as ECMO 1 with [REDACTED] NCIS (b)(6), (b)(7)(C) where it had been reported by Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and [REDACTED] NCIS (b)(6), (b)(7)(C) "chewed out" [REDACTED] NCIS (b)(6), (b)(7)(C) because he felt [REDACTED] NCIS (b)(6), (b)(7)(C) mistakes might endanger his F-18 transition. [REDACTED] NCIS (b)(6), (b)(7)(C) said during an AOR flight he made some navigational mistakes and for a brief period they were lost in the AOR. [REDACTED] NCIS (b)(6), (b)(7)(C) said [REDACTED] NCIS (b)(6), (b)(7)(C) did speak to him in the debrief of the flight about the mistakes, but it was all

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

professional and he did not take it personal.

NCIS (b)(6), (b)(7)(C) said he was in the ready room after the mishap. NCIS (b)(6), (b)(7)(C) did not remember everyone who was in the ready room, but specifically Capt. NCIS (b)(6), (b)(7)(C) had three members of VMAQ-4. NCIS (b)(6), (b)(7)(C) said he did not speak directly with any of the mishap crew, but did hear someone saying something about running into wires, and someone should call up there cause someone might have gotten hurt. NCIS (b)(6), (b)(7)(C) said he could not be certain, but felt it was NCIS (b)(6), (b)(7)(C) and NCIS (b)(6), (b)(7)(C) who were speaking about hitting the wires.

NCIS (b)(6), (b)(7)(C) said he had flown the mishap route several times and although he was not specifically aware of the cable car system where the mishap occurred, it was common knowledge this area had skiing areas, and he had seem ski lifts in the general area along this route.

NCIS (b)(6), (b)(7)(C) was not asked to make a sworn statement since he had previously provided a statement to NCIS and he indicated nothing had changed from his previous statement.

## BIOGRAPHICAL DATA

EMPLOYMENT: Capt, USMC, VMAQ2, Cherry Point, NC

SSAN: [REDACTED]

DOB: NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejuene, NC

REPORTED BY: NCIS (b)(6), (b)(7)(C)  
OFFICE: NCISFO Carolinas  
DATE TYPED: 14APR98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN MICHAEL [REDACTED] NCIS (b)(6), (b)(7)(C)

On 09Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC regarding his knowledge of specific information relative to this investigation and general background and procedural information from his squadron. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) is a EA6B pilot with VMAQ-2, and has a secondary job in the squadron as the power lines officer in maintenance.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he had flown one low level flight on his squadrons most recent deployment and possibly a second one. This was on the mishap route, AV047. He said he had also flown at least one low level on the previous deployment to Aviano during Mar96-Sep96. [REDACTED] NCIS (b)(6), (b)(7)(C) said he recalled completing all the low levels with no areas where he was forced to climb to avoid weather problems, and the routes were completed with no problems that he recalled.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he had flown with all the mishap crew members on occasion with the exception of Capt [REDACTED] NCIS (b)(6), (b)(7)(C). He said the only time he recalled [REDACTED] NCIS (b)(6), (b)(7)(C) actually flying in his aircraft was on an occasion when [REDACTED] NCIS (b)(6), (b)(7)(C) had in the back seat as a passenger on a cross country flight. However, he indicated he had flown numerous times with [REDACTED] NCIS (b)(6), (b)(7)(C) as his wing-man and he as [REDACTED] NCIS (b)(6), (b)(7)(C) wing-man. He said he also had contact with [REDACTED] NCIS (b)(6), (b)(7)(C) the EA6B training squadron at Whidbey Island.

Regarding Captain [REDACTED] NCIS (b)(6), (b)(7)(C) said he had served as his ECMO1 a number of times and also as in other ECMO positions. He said he was a very professional and well rounded officer. He said he had never experienced any problems with him and considered him one of the more knowledgeable and experienced ECMO's. He said he was always planning well ahead of the aircraft.

[REDACTED] NCIS (b)(6), (b)(7)(C) described Captain [REDACTED] NCIS (b)(6), (b)(7)(C) a young ECMO who was very tenacious about his job. He said [REDACTED] NCIS (b)(6), (b)(7)(C) performed well as his ECMO1 and he has not had any problems, but has a lot to learn.

[REDACTED] NCIS (b)(6), (b)(7)(C) was asked to explain the planning and briefing he would go through on a standard low level training mission and did so. He said he would go to the publications and get all the pertinent data regarding longitudes/latitudes/altitude restrictions/etc. He said he would copy and cut out a TPC chart and would then plot by hand or load into a computer everything on the chart. He said he would then utilize a chart update manual (CHUM) to chum any new obstructions not previously charted. He said he had never ran across an instance where an obstruction was not on a chart or included in a CHUM. He said it would be the pilot or ECMO1's responsibility to do these steps prior to flying

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

a route, and briefing the flight to the crew.

Regarding knee boards, [REDACTED] NCIS (b)(6), (b)(7)(C) said a pilot may or may not utilize them. He said he often will have them with just blank paper to write things on like radio frequencies, or perhaps with a navigation card which would include things like headings, altitudes, and speed of the flight. He said ECMO1 and back-seaters normally do have knee boards to write things on. He said a "knee board card" would normally have information on it like headings, altitudes, distance, and fuel consumption data. When asked specifically what it would mean to him if he saw 2000 ft AGL written or printed on a knee board card he said he did not know for sure but it could mean an altitude restriction or it could just be an altitude to fly at for fuel planning purposes.

Regarding the last low level flight he had on AV047 with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) as ECMO1 and Captain [REDACTED] NCIS (b)(6), (b)(7)(C) as ECMO2, [REDACTED] NCIS (b)(6), (b)(7)(C) said he likely would have planned and briefed this flight since Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was such a junior and inexperienced ECMO. He said he was not sure what minimum altitude he briefed the flight at, but would have briefed it at whatever level the publications he had available to him said it was to be flown at, and would have flown it this way. When it was pointed out Captain [REDACTED] NCIS (b)(6), (b)(7)(C) indicated it was briefed at 2000 ft AGL, [REDACTED] NCIS (b)(6), (b)(7)(C) said if he briefed 2000 ft AGL it either came out of a publication, or he briefed this level due to his own personal knowledge of ski areas throughout the route. He explained that as a skier himself he did not like to be startled or scared by an aircraft popping over a ridge.

Regarding the DG binder, [REDACTED] NCIS (b)(6), (b)(7)(C) said it contained [REDACTED] NCIS (b)(6), (b)(7)(C) information dealing with the actual mission over Bosnia, and had very little information on local stuff in the Aviano area. He said he thought it was required reading once a month, but was not sure if it was included as read and initial information. He said it was required reading for anyone who flew Deliberate Guard missions. When asked what his understanding of the term "cross-compartment" was as related to aviation he said he was unfamiliar with this term. He said he was familiar with "cross-checking" which involved scanning instruments in the aircraft, but said "cross-compartment" was a new term to him.

When asked to describe the commanding officer (CO) LtCol [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C) described him as the most safety minded individual he knew. He said [REDACTED] NCIS (b)(6), (b)(7)(C) was always on the conservative side and was very by the book regarding all aspects of flight. He said the executive officer (XO) LtCol [REDACTED] NCIS (b)(6), (b)(7)(C) was very much the same as the CO. He described the operations officer (OPSO), Maj [REDACTED] NCIS (b)(6), (b)(7)(C) as being [REDACTED] NCIS (b)(6), (b)(7)(C) and exactly the same as [REDACTED] NCIS (b)(6), (b)(7)(C). He said he had never met a more passionate person about his job. He said there

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C) were probably not any other Marines in aviation as "anal" as LtCol NCIS (b)(6), (b)(7)(C) on making sure that all the crews were well prepared for any assignment as it related to training and procedures. He said they were very exacting in making sure everyone does what they should be doing through all phases of flight from scheduling-briefing-execution, and debrief.

NCIS (b)(6), (b)(7)(C) said he considered LtCol NCIS (b)(6), (b)(7)(C) the most talented pilot in the command with Major NCIS (b)(6), (b)(7)(C) close second. He said he could not say who he considered the best ECMO in the command and said he considered all of them of similar abilities.

NCIS (b)(6), (b)(7)(C) said he did not talk to NCIS (b)(6), (b)(7)(C) about a month after the mishap. He said he was on the advance party for the squadron already back at Cherry Point when the mishap occurred and they could not even get any information from Aviano initially on the mishap. NCIS (b)(6), (b)(7)(C) said he has had contact with all the crew members since their return, and all are "absolutely crushed". He said he has not spoken to any of them about the specifics of the mishap, and has not heard anything they have said about the incident even second or third hand.

NCIS (b)(6), (b)(7)(C) was asked about the normal speeds that low level training routes are normally flown at and indicated they are normally planned at 360 or 420 knots. He was asked if it would be normal for anyone to fly AV047 at 550 knots (alleged speed of mishap aircraft at time of incident). NCIS (b)(6), (b)(7)(C) said this was not a speed he would normally fly this route.

NCIS (b)(6), (b)(7)(C) was asked about a low transition that Captain NCIS (b)(6), (b)(7)(C) may have made about a week prior to the mishap. He said he was unaware of any of the specifics, but heard NCIS (b)(6), (b)(7)(C) may have been counseled about this. He said there may have been circumstances warranting a low transition for safety.

NCIS (b)(6), (b)(7)(C) was asked about putting an aircraft into a negative 2-G spike at 370 feet at a speed of 550 knots. This is something some have said or speculated Captain NCIS (b)(6), (b)(7)(C) had done at or just prior to impact with the cable system. NCIS (b)(6), (b)(7)(C) said this was an "eye watering thought". He stated it would be just milliseconds before the aircraft would have impacted with the ground, and did not think this was possible for the aircraft to survive this.

NCIS (b)(6), (b)(7)(C) said he did not have specific knowledge of the cable system or ski area where the mishap occurred, but it was common knowledge there were many ski areas throughout the area. He said there were so many of them in the Dolamites you have to be very careful, as fairly often you come across uncharted ski areas and have to climb to avoid them.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

Regarding the radalt in the EA6B aircraft, [REDACTED] NCIS (b)(6), (b)(7)(C) said he had experienced bad radalts in the past, but had never had a problem which caused him any close calls or being closer to the ground than he needed to be or should be. He said as soon as he noticed a bad radalt he would climb. He said he was unaware of any complaints about the radalt in the mishap aircraft prior to the incident, and said he would immediately "gripe" a bad radalt if he experienced it.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he did not recall the specific All Officers Meeting (AOM) where Captain [REDACTED] NCIS (b)(6), (b)(7)(C) held up the DG binder and told everyone to read it. He said there were a lot of AOM's and it was hard to recall specifics of them.

[REDACTED] NCIS (b)(6), (b)(7)(C) described Captain [REDACTED] NCIS (b)(6), (b)(7)(C) as a very professional pilot who was a gifted aviator. He said he took great pride in his briefs and in flight he was smooth, exacting, and had very good hands. He said he had never seen [REDACTED] NCIS (b)(6), (b)(7)(C) "hot-dog" or "flat-hat", and had never heard anything about him in this regard.

## BIOGRAPHICAL DATA

EMPLOYMENT: Captain, USMC, VMAQ-2, MCAS Cherry Point, NC

SSAN [REDACTED]

DOB: [REDACTED] NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

[REDACTED] NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)

OFFICE: NCISFO Carolinas

DATE TYPED: 16APR98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF MAJ [REDACTED] NCIS (b)(6), (b)(7)(C)

On 09Apr98, reporting agent and participating agent [REDACTED] NCIS (b)(6), (b)(7)(C) interviewed MAJ [REDACTED] NCIS (b)(6), (b)(7)(C) USMC regarding the VMAQ-2 EA6B Prowler mishap which occurred near Cavalese, Italy on 03Feb98. This interview was conducted at the request of the USMC Trial Counsels assigned to this case. [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCISRA Cherry Point office located aboard MCAS Cherry Point, NC.

[REDACTED] NCIS (b)(6), (b)(7)(C) advised he is an Electronic Countermeasures Officer (ECMO) assigned to VMAQ-2, MAG-14, 2DMAW, MCAS Cherry Point, NC. He is also the Assistant Aircraft Maintenance Officer (AAMO) for VMAQ-2. He indicated he has been assigned to VMAQ-2 since July, 1997. Prior to that, he was assigned to VAQ-129 at Whidbey Island, WA as an instructor at the Navy Replacement Air Group (RAG).

[REDACTED] NCIS (b)(6), (b)(7)(C) stated on 03Feb98, he was deployed to Aviano, Italy with VMAQ-2. He advised he flew one low level training flight while deployed to Aviano, which occurred in approximately Nov97. The route he flew was AV047. He related on that flight, Capt [REDACTED] NCIS (b)(6), (b)(7)(C) was the pilot, he was the ECMO-1 and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) was the ECMO-2 in one of the back seats. [REDACTED] NCIS (b)(6), (b)(7)(C) stated they briefed the comfort level on that flight at no lower than 1000' AGL.

[REDACTED] NCIS (b)(6), (b)(7)(C) indicated at one time or another, he had flown with all four of the aircrew involved in the mishap. He believed he flew three Deliberate Guard (DG) missions over Bosnia with Capt [REDACTED] NCIS (b)(6), (b)(7)(C) once as ECMO-1 in the front seat, and two as an ECMO in one of the back seats. [REDACTED] NCIS (b)(6), (b)(7)(C) did not recall flying with [REDACTED] NCIS (b)(6), (b)(7)(C) any other time while deployed to Aviano.

[REDACTED] NCIS (b)(6), (b)(7)(C) described [REDACTED] NCIS (b)(6), (b)(7)(C) having very good hand-eye coordination and very good Aircrew Coordination Training skills. He knew [REDACTED] NCIS (b)(6), (b)(7)(C) as a RAG student, and he described [REDACTED] NCIS (b)(6), (b)(7)(C) as having a verbose and gregarious personality. [REDACTED] NCIS (b)(6), (b)(7)(C) noted [REDACTED] NCIS (b)(6), (b)(7)(C) was also very professional in the aircraft. [REDACTED] NCIS (b)(6), (b)(7)(C) advised he did not know of any derogatory information about [REDACTED] NCIS (b)(6), (b)(7)(C) flying abilities. He indicated he had never heard nor witnessed [REDACTED] NCIS (b)(6), (b)(7)(C) having any problems. [REDACTED] NCIS (b)(6), (b)(7)(C) stated he has never seen nor heard of Capt [REDACTED] NCIS (b)(6), (b)(7)(C) ever "flat hatting" or displaying any "Cowboy" actions in flight.

[REDACTED] NCIS (b)(6), (b)(7)(C) related he also flew several times with Capt [REDACTED] NCIS (b)(6), (b)(7)(C) while deployed to Aviano. He noted his flights with Capt [REDACTED] NCIS (b)(6), (b)(7)(C) and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) all occurred during their training at the RAG, when [REDACTED] NCIS (b)(6), (b)(7)(C) was an instructor. [REDACTED] NCIS (b)(6), (b)(7)(C) recalled flying a couple times with each of them, but was certain he never flew any low level flights with any of the four mishap aircrew. [REDACTED] NCIS (b)(6), (b)(7)(C) advised he could not recall any of the four mishap aircrew ever

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

displaying any unprofessional attitudes in flight.

NCIS (b)(6), (b)(7)(C) described how he would plan for a low level training flight. He related once he was scheduled for a low level training flight, he would choose a route, call in and schedule the route with the scheduling authority, and get a route brief from the scheduling authority.

NCIS (b)(6), (b)(7)(C) added he would then make a chart for the route. He noted in the U.S., he would go to the AP1-B to get information about the specific route he planned to fly. He explained the AP1-B is an FAA publication defining all low level procedures for U.S. low level training. NCIS (b)(6), (b)(7)(C) stated in Italy there was no AP1-B, so the publication he used for low level flights was the Deliberate Guard Pilot Information Handbook, which was the same thing as the USAF 551st Squadron Handbook. NCIS (b)(6), (b)(7)(C) stated that publication contained all of the information necessary for low level flight procedures.

NCIS (b)(6), (b)(7)(C) noted there were times he would not have had to make up a chart for the route, if one was available in the squadron from a previous flight. In that case, NCIS (b)(6), (b)(7)(C) explained he would check the existing chart against the AP1-B or the DG pilot Information Handbook (depending on where he was) to make sure all of the information on the existing chart was current and accurate.

NCIS (b)(6), (b)(7)(C) indicated he could also ask other squadron members, who had previously flown the route he was scheduled to fly, for their input regarding that route.

NCIS (b)(6), (b)(7)(C) related another step in his preparation for a low level flight would be to check the CHUM manuals to determine if there were any recent changes and/or updates to the route, such as new obstructions. According to NCIS (b)(6), (b)(7)(C) the charts he used for AV047 had already been CHUM's on a previous deployment.

NCIS (b)(6), (b)(7)(C) stated after making the chart, he would give a detailed brief on the route and flight procedures. NCIS (b)(6), (b)(7)(C) advised either the pilot or the ECMO-1 normally brief the flight.

NCIS (b)(6), (b)(7)(C) advised he uses a kneeboard when he flies. He stated he only writes mission specific information on the kneeboard cards when necessary. He related he also wrote the call sign for the jet he was flying on the kneeboard as well.

NCIS (b)(6), (b)(7)(C) advised the information on the NAVCARD or JETCARD on the kneeboard is not necessarily the restrictions for flight. According to NCIS (b)(6), (b)(7)(C) the information on the kneeboard could be for headings, fuel planning, etc. NCIS (b)(6), (b)(7)(C) stated if 2000' AGL is

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

noted on the kneeboards in the mishap crew's cockpit, he would not know what that number represents without actually seeing how it appears on the cards. NCIS (b)(6), (b)(7)(C) added, just because 2000' AGL is written on the cards doesn't mean that was the altitude restriction for their flight.

NCIS (b)(6), (b)(7)(C) stated when flying the low level route AV047, there are two legs of that route through the mountains that should be briefed at 2000' AGL between certain winter months when snow was expected. NCIS (b)(6), (b)(7)(C) was not sure of the exact months, but he believed it was between October and April.

NCIS (b)(6), (b)(7)(C) stated he was not familiar with the term "Cross Compartment". He added he did not believe he ever heard it used before and he advised he did not know what it means.

NCIS (b)(6), (b)(7)(C) described LTCOL NCIS (b)(6), (b)(7)(C) as a "by the book" type of Commanding Officer. According to NCIS (b)(6), (b)(7)(C) LTCOL NCIS (b)(6), (b)(7)(C) is very attentive to details. NCIS (b)(6), (b)(7)(C) opined if LTCOL NCIS (b)(6), (b)(7)(C) ever knew of any new information pertaining to flying, it was not long before the squadron knew about it. NCIS (b)(6), (b)(7)(C) noted LTCOL NCIS (b)(6), (b)(7)(C) and MAJ NCIS (b)(6), (b)(7)(C) are the same way. NCIS (b)(6), (b)(7)(C) added none of them were negligent in distributing any information on flying to the squadron. In turn, according to NCIS (b)(6), (b)(7)(C) they all expected the squadron personnel to comply with all of the existing directives pertaining to their flights.

NCIS (b)(6), (b)(7)(C) recalled at the time of the mishap on 03Feb98, he was at the barber shop. He advised he went to the Maintenance hangar and it appeared that everyone was in a frenzy. NCIS (b)(6), (b)(7)(C) indicated he asked what was going on, and then quickly learned of the mishap. NCIS (b)(6), (b)(7)(C) remained at the Maintenance hangar because he had to complete certain maintenance related responsibilities resulting from the mishap.

NCIS (b)(6), (b)(7)(C) stated later that night, after dark, he went to the VMAQ-2 Ready Room to attend an All Officers Meeting (AOM) called by LTCOL NCIS (b)(6), (b)(7)(C). NCIS (b)(6), (b)(7)(C) related the four mishap aircrew were present. According to NCIS (b)(6), (b)(7)(C) LTCOL NCIS (b)(6), (b)(7)(C) made a few comments and gave some guidance about how to react to feelings they might have about the incident. NCIS (b)(6), (b)(7)(C) noted after the AOM, he returned to the Maintenance hangar.

NCIS (b)(6), (b)(7)(C) stated he did not have any direct conversation with any of the mishap aircrew. He noted since the mishap occurred, he has made a conscious effort to avoid talking to anyone in the squadron, including the mishap aircrew, about the incident. NCIS (b)(6), (b)(7)(C) added he has also avoided third hand conversations about the incident. NCIS (b)(6), (b)(7)(C) related NCIS (b)(6), (b)(7)(C) is his current roommate, and he has

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

not discussed the mishap with him.

NCIS (b)(6), (b)(7)(C) advised it is not uncommon for pilots and/or ECMO's to carry video/still cameras in the aircraft.

NCIS (b)(6), (b)(7)(C) recalled the AOM in Aviano during which Capt (b)(6), (b)(7)(C) held up a binder and mentioned there were new procedures inside. NCIS (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) saying that before they flew their next low level, they need to read what's in the binder. NCIS (b)(6), (b)(7)(C) advised he was not sure of the date when that AOM occurred. He related there were several officers there, but he was not sure of specific names. NCIS (b)(6), (b)(7)(C) could not recall if the members of the mishap crew were there. NCIS (b)(6), (b)(7)(C) indicated he attended the meeting with MAJ (b)(6), (b)(7)(C). According to NCIS (b)(6), (b)(7)(C) all of the officers in the squadron were expected to be present at AOM's unless they were flying or TAD out of the area.

NCIS (b)(6), (b)(7)(C) stated low level training flights are usually planned at 420 knots or 360 knots. NCIS (b)(6), (b)(7)(C) opined if an EA6B Prowler is flying at 550 knots, that is pretty high up on power, if not at full power. NCIS (b)(6), (b)(7)(C) added, however, that "Speed is Life", especially on a low level flight. NCIS (b)(6), (b)(7)(C) explained the plane has better maneuvering capabilities at higher speeds.

NCIS (b)(6), (b)(7)(C) was not clear how a -2G Spike would have been measured on the mishap aircraft because he did not think there was a negative G meter on that aircraft.

NCIS (b)(6), (b)(7)(C) stated it was common knowledge among the squadron that there were several ski resorts in the areas where they flew low levels. NCIS (b)(6), (b)(7)(C) stated he was cautious when he flew AV047 because it was his first time on that route and he was aware of the ski areas. NCIS (b)(6), (b)(7)(C) advised he never specifically saw any cables and/or cable cars.

NCIS (b)(6), (b)(7)(C) described the RADALT as an essential piece of flight equipment, especially on a low level flight. NCIS (b)(6), (b)(7)(C) added if there was a problem with the RADALT, no matter how slight a discrepancy, it should have been griped. NCIS (b)(6), (b)(7)(C) noted everyone who flew in the aircraft knew that.

NCIS (b)(6), (b)(7)(C) was asked what he thought might have caused the mishap. In reply, (b)(6), (b)(7)(C) stated he just did not know what happened to cause it. NCIS (b)(6), (b)(7)(C) speculated the mishap could have resulted from "flat hatting, or the plane just got away from the crew." However, NCIS (b)(6), (b)(7)(C) stated there was no way the aircrew would have been intentionally trying to fly under or near the cables.

NCIS (b)(6), (b)(7)(C) provided no additional information pertinent to this

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

investigation during this interview.

## BIOGRAPHICAL DATA

[REDACTED] NCIS (b)(6), (b)(7)(C) /MAJ USMC

SSN: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

NCIS (b)(6), (b)(7)(C)

UNIT: [REDACTED]

WKPHN: [REDACTED]

## PARTICIPATING AGENT

[REDACTED] NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, CLNC

REPORTED BY:

[REDACTED] NCIS (b)(6), (b)(7)(C)

OFFICE:

NCISFO CAROLINAS

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C)

On 09Apr98, reporting agent and participating agent [REDACTED] NCIS (b)(6), (b)(7)(C) interviewed Capt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC regarding the VMAQ-2 EA6B mishap which occurred near Cavalese, Italy on 03Feb98. This interview was conducted at the request of the USMC Trial Counsels assigned to this case. [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCISRA Cherry Point office located aboard MCAS Cherry Point, NC.

[REDACTED] NCIS (b)(6), (b)(7)(C) is an Electronic Countermeasures Officer (ECMO) assigned to VMAQ-2, MAG-14, 2DMAW, MCAS Cherry Point, NC. [REDACTED] NCIS (b)(6), (b)(7)(C) Weapons & Tactics Instructor (WTI) qualified.

[REDACTED] NCIS (b)(6), (b)(7)(C) advised he has been assigned to VMAQ-2 since Nov95. He made the Mar96 - Sep96 deployment to Aviano with VMAQ-2, and he stated he "flew a handful of low levels" during that period. [REDACTED] NCIS (b)(6), (b)(7)(C) was unable to recall the exact number of low level flights he made on that deployment.

[REDACTED] NCIS (b)(6), (b)(7)(C) also made the Aug97 - Sep98 deployment to Aviano with VMAQ-2. He knew he flew at least one low level training flight, and he was pretty sure he had flown two of them. [REDACTED] NCIS (b)(6), (b)(7)(C) specifically recalled making a low level training flight on 10Dec97 when LT [REDACTED] NCIS (b)(6), (b)(7)(C) was the pilot. [REDACTED] NCIS (b)(6), (b)(7)(C) recalled he was ECMO-1 on that flight, and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) was ECMO-2.

[REDACTED] NCIS (b)(6), (b)(7)(C) advised that particular low level flight was briefed at 1000' AGL. He described the pre-flight brief as a "team effort" between himself, LT [REDACTED] NCIS (b)(6), (b)(7)(C) and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) however, he noted Capt [REDACTED] NCIS (b)(6), (b)(7)(C) did not say much of anything during the brief. [REDACTED] NCIS (b)(6), (b)(7)(C) recalled that he used information available in the USAF 31st Fighter Wing Pilot Guide to brief that low level flight. He was certain the flight was briefed at 1000' AGL due to the existing rules at the time. [REDACTED] NCIS (b)(6), (b)(7)(C) stated the entire low level route on AV047 was briefed at 1000' AGL, but he believed they may have flown higher than 1000' AGL on the first leg of the flight due to poor weather.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated he knew that every time he had flown that route (AV047) he has seen the ski areas. He noted it was common knowledge that legs 1, 2, 5 and 6 on AV047 all have ski areas.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated he made the charts for that particular route.

[REDACTED] NCIS (b)(6), (b)(7)(C) advised he was part of the first Marine aircrew to ever fly the AV047 low level route. He stated he was ECMO-1 on that flight, which he said occurred in May or June, 1996, when VMAQ-2 was first deployed to Aviano. He noted the pilot was LT [REDACTED] NCIS (b)(6), (b)(7)(C) and the two other ECMO's were Capt [REDACTED] NCIS (b)(6), (b)(7)(C) and Capt [REDACTED] NCIS (b)(6), (b)(7)(C).

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

noted [redacted] is now a civilian and [redacted] is assigned to VX-9 at China Lake, CA.

[redacted] explained that he used Defense Mapping Agency (DMA) maps of the area (AV047) which were dated 1992 or 1993. He noted when he flew AV047 for the first time, he realized the DMA maps he used to chart the route were not up to date. He recalled navigational aids, such as towns, were not updated on the DMA maps.

[redacted] stated after that first flight on AV047, he made comments to others in the squadron that the maps they were using to chart the route were "basically useless because they were not up to date...they do not show all the towns and ski areas." However, [redacted] believed all of the vertical obstructions over 400' - 500' AGL were noted on the DMA maps.

[redacted] indicated he got all of his information to make the charts from the USAF 555 Squadron at Aviano AFB. He said he basically took 5 of the 555 Sqdrn's low level routes and charted them. Once he charted the routes, he went to the CHUM manual to look for updates. He stated that based on what the USAF CHUM information he checked, he added three towers on the 1st chart he made for AV047, and marked their altitudes (AGL and MSL) [redacted] advised the USAF master chart was up to date at the time he made the first chart for AV047.

[redacted] advised he had flown with all of the mishap aircrew members in the past, except [redacted] He stated he had flown with [redacted] several times, and many of those times as ECMO-1. He described [redacted] pilot skills as the best in the squadron. [redacted] noted [redacted] was outstanding in tense situations. HE recalled [redacted] outstanding handling of a "split-flap" situation near Charleston, SC approximately a year prior to this interview. [redacted] explained the situation as a bad one, and he recalled [redacted] was calm throughout the emergency. [redacted] stated [redacted] was able to get through the situation without event. [redacted] stated he has never heard anything derogatory in nature about [redacted]

[redacted] advised he had flown with [redacted] on maybe half a dozen occasions. He described [redacted] as competent, and stated he has full confidence in his abilities. [redacted] indicated he had never heard any derogatory information about [redacted] in the past.

[redacted] related he flew with [redacted] maybe a few more times than he did with [redacted] He indicated [redacted] was new to the squadron, so he was basically being trained every time he was flying. [redacted] explained that since he was WTI qualified, he was expected to train the new ECMO's in the squadron. [redacted] noted he had never heard any derogatory information about [redacted]

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C) indicated he would take the following steps in preparation for a low level training flight on route AV047. He noted these steps are similar to what he did on his last low level flight at AV047 on 10Dec97. He related as ECMO-1, he was responsible for navigation. He stated he would obtain a chart for that route, obtain a Navigation Card, make sure his fuel information was up to date and accurate and he could check the weather conditions. NCIS (b)(6), (b)(7)(C) noted he would not have looked at the CHUM manual for AV047 because he had created the chart on his first deployment to Aviano. NCIS (b)(6), (b)(7)(C) stated he would review the altitudes for the route on the USAF 31st Fighter Wing Pilot Card. He recalled the altitudes listed for low level training on that publication were 500' to 2,000' AGL. NCIS (b)(6), (b)(7)(C) stated his squadron received the 31st Fighter Wing Pilot Card when they arrived in Aviano, and they used the low level altitudes for their flight planning purposes. However, NCIS (b)(6), (b)(7)(C) noted they never planned a low level flight below 1000' AGL because that was the MAG-14 minimum altitude.

NCIS (b)(6), (b)(7)(C) related there is no rule that says a kneeboard must be worn by the aircrew. He described the kneeboard as an aid in the cockpit. NCIS (b)(6), (b)(7)(C) indicated the ECMO's usually wear them because they are full of information. NCIS (b)(6), (b)(7)(C) stated some pilots do not wear the kneeboards because the ECMO's have all of the information the pilot needs.

NCIS (b)(6), (b)(7)(C) advised the TEAMS Card on the kneeboard is a mission planning aid. He explained it is a computer printout for flight information. According to NCIS (b)(6), (b)(7)(C) of 2000' AGL is on the TEAMS Card/kneeboard, it could be there for fuel planning purposes and not an altitude restriction. NCIS (b)(6), (b)(7)(C) added it is common practice for one aircrew to use a chart and/or TEAMS Card from another aircrew, that just flew the same route, for its own flight planning purposes.

NCIS (b)(6), (b)(7)(C) stated he was not familiar with the term "Cross Compartment."

NCIS (b)(6), (b)(7)(C) stated the RADALT should be set at 10% below the minimum altitude. He advised this is SOP and not an FAA rule. NCIS (b)(6), (b)(7)(C) also indicated that it is VMAQ-2 SOP to have an operable RADALT.

NCIS (b)(6), (b)(7)(C) stated he did not know about the USAF FCIF-16 until after the 03Feb98 mishap. He also advised that he has never read that publication.

NCIS (b)(6), (b)(7)(C) did not recall the All Officers Meeting at VMAQ-2 when Capt reportedly held up the black Deliberate Guard (DG) binder containing new information and suggesting that the officers read it. However, NCIS (b)(6), (b)(7)(C) noted when VMAQ-2 first arrived at Aviano in Aug97, the black DG (read binder) contained much information not

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

pertinent to the USMC which was left over from the previous deployment there.

NCIS (b)(6), (b)(7)(C) described LTCOL NCIS (b)(6), (b)(7)(C) as a conservative CO who pays attention to detail and does business "by the book." NCIS (b)(6), (b)(7)(C) explained LTCOL NCIS (b)(6), (b)(7)(C) would go out of his way and make a painstaking effort to be sure the squadron did things right. NCIS (b)(6), (b)(7)(C) indicated the XO, LTCOL NCIS (b)(6), (b)(7)(C) and the OPSO, (MAJ NCIS (b)(6), (b)(7)(C) were the same type of leaders as LTCOL NCIS (b)(6), (b)(7)(C). He added the XO followed the rules and paid attention to the SOP, and the OPSO was very safe.

NCIS (b)(6), (b)(7)(C) indicated he was in the VMAQ-2 Ready Room in Aviano on the afternoon of 03Feb98. He heard that aircraft 02, the mishap aircraft, was returning to base with problems. NCIS (b)(6), (b)(7)(C) related he left the Ready Room and drove over to the Maintenance hangar. He advised on the way to the Maintenance hangar, the Security Police held him up for a short time while the plane landed, but he eventually made it to the plane after getting the all clear from the crash crew. NCIS (b)(6), (b)(7)(C) related he was with MAJ NCIS (b)(6), (b)(7)(C) at the plane. He noted the mishap crew was already being transported to the Ready Room, and he had no contact with them after they egressed from the plane.

NCIS (b)(6), (b)(7)(C) stated by the time he returned to the Ready Room, the mishap crew was already at the hospital. According to NCIS (b)(6), (b)(7)(C) the first contact he had with the mishap aircrew after the incident was in the Ready Room later that night, at about 2000-2100. He recalled NCIS (b)(6), (b)(7)(C) was crying. He indicated LTCOL NCIS (b)(6), (b)(7)(C) called an AOM to talk about the incident. NCIS (b)(6), (b)(7)(C) stated he had no conversation with the mishap aircrew at that time. He added he has not spoken to any of the mishap aircrew about the accident since it occurred.

NCIS (b)(6), (b)(7)(C) described a "low transition" NCIS (b)(6), (b)(7)(C) was involved in approximately one week prior to the mishap. NCIS (b)(6), (b)(7)(C) stated he was the ECMO-1 in NCIS (b)(6), (b)(7)(C) plane. They were the 3rd plane to take off in a 3 plane formation. He said NCIS (b)(6), (b)(7)(C) felt the jetwash from the 2nd plane, which took off in front of them. NCIS (b)(6), (b)(7)(C) stated NCIS (b)(6), (b)(7)(C) had to stay low to avoid the jetwash, then 'side-step' slightly, gain airspeed and climb out below the 2nd plane. NCIS (b)(6), (b)(7)(C) did not feel NCIS (b)(6), (b)(7)(C) maneuver was unsafe. He recalled that NCIS (b)(6), (b)(7)(C) later explained to him that he had done it (the low transition) for safety reasons. NCIS (b)(6), (b)(7)(C) believed NCIS (b)(6), (b)(7)(C) also may have told MAJ NCIS (b)(6), (b)(7)(C) that he had to take that action for safety reasons. NCIS (b)(6), (b)(7)(C) stated he was not questioned by anyone about NCIS (b)(6), (b)(7)(C) low transition, but he recalled NCIS (b)(6), (b)(7)(C) telling him that he NCIS (b)(6), (b)(7)(C) was questioned about it.

NCIS (b)(6), (b)(7)(C) stated that in order to get the EA6B aircraft to 550 knots,

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

the throttle would have to be down all the way. NCIS (b)(6), (b)(7)(C) noted 550 knots is just about max speed for that aircraft, and the pilot would have to know he was going that fast.

NCIS (b)(6), (b)(7)(C) declined to provide a sworn statement, and he did not provide any additional information pertinent to this investigation during this interview.

## BIOGRAPHICAL DATA

NCIS (b)(6), (b)(7)(C) /Capt USMC

SSN:

DOB:

POB:

UNIT:

WKPHN

NCIS (b)(6), (b)(7)(C)

## PARTICIPATING AGENT

NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, CLNC

REPORTED BY:  
OFFICE:

NCIS (b)(6), (b)(7)(C)

NCISFO CAROLINAS

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: //MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 15Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, by Reporting Agent (RA) and Participating Agent (PA) [REDACTED] NCIS (b)(6), (b)(7)(C) declined to make a sworn statement, but was asked to come back to the NCIS office on 23Apr98 to review the results of his interview as prepared from notes of PA and RA. This was to insure things were recorded accurately. NCIS (b)(6), (b)(7)(C) reviewed the original and was desirous of making changes to the report. RA allowed [REDACTED] NCIS (b)(6), (b)(7)(C) make pen changes to the original and prepared a new version of the same document, enclosure (1) pertains. Enclosure (2) is the original document with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) pen changes. Some of the changes were minor clarifications, but other deletions or changes were because [REDACTED] NCIS (b)(6), (b)(7)(C) did not like the way it sounded, not because it had not been said or was not true. [REDACTED] NCIS (b)(6), (b)(7)(C) was asked to sign each page of enclosure (1) just to indicate he had reviewed it and was in agreement with the content.

## ENCLOSURES:

- (1). IA: Interview of Captain [REDACTED] NCIS (b)(6), (b)(7)(C) 98
- (2). Original IA of interview of Captain [REDACTED] NCIS (b)(6), (b)(7)(C) 98

## BIOGRAPHICAL DATA

EMPLOYMENT: Captain, USMC, VMAQ-2, MCAS Cherry Point, NC

SSAN [REDACTED]

DOB: NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

[REDACTED] NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)  
OFFICE: NCISFO Carolinas  
DATE TYPED: 27APR98

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TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
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INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 15Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC regarding his knowledge of specific information relative to this investigation and general background and procedural information from his squadron. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) an Electronic Countermeasures Officer (ECMO) with VMAQ-2, and has a secondary job in the squadron as the scheduling and ECMO training officer.

NCIS [REDACTED] (b)(6), (b)(7)(C) indicated he joined his squadron on 10Oct95, and had deployed with them once previously to Italy during Mar-Sep96. NCIS [REDACTED] (b)(6), (b)(7)(C) indicated he had not flown any low level training missions during the most recent deployment, but did fly 2-3 during his previous deployment to Aviano. He said at least two of these were AV047, the mishap low level route.

NCIS [REDACTED] (b)(6), (b)(7)(C) said he had not attended any formal training with any of the mishap crew in flight school. He indicated he had flown a number of times with all the crew members except Capt [REDACTED] NCIS (b)(6), (b)(7)(C) who he had never flown with. NCIS [REDACTED] (b)(6), (b)(7)(C) said he had flown as ECMO1 a few times with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) the pilot, and probably on low level training missions in the continental U.S., but could not remember specifically.

NCIS [REDACTED] (b)(6), (b)(7)(C) was asked what would be involved in planning and briefing a low level training mission in Aviano. He said he would pull the appropriate charts from a chart file and review the route. He said he would then consult the 31st Fighter Wing Pilot Aid Handbook and other SOPS to insure they were flying the route properly. NCIS [REDACTED] (b)(6), (b)(7)(C) said the Pilot or ECMO1 would normally brief the flight.

When asked what the duties of the ECMO1 were on the flight he said they were primarily obstacle clearance, navigation, timing, and communications.

NCIS [REDACTED] (b)(6), (b)(7)(C) said the AV047 low level route was a very popular route which all the pilots and ECMO's wanted to fly if given the opportunity.

NCIS [REDACTED] (b)(6), (b)(7)(C) said it was the most spectacular low level route he had ever been on. He said it gave the pilot and ECMO1 more of a challenge than most routes. He said the ECMO2 and ECMO3 were basically just passengers of the low level routes.

NCIS [REDACTED] (b)(6), (b)(7)(C) was asked about knee board cards utilized by crew members. [REDACTED] (b)(6), (b)(7)(C) said they are primarily used for timing and fuels. When asked specifically what he would take it to mean if he saw 2000 ft AGL printed on a card he said he would interpret this as an altitude restriction. He said the TEAM card is primarily used as a planning tool, and there would be cards around for specific routes.

NCIS (b)(6), (b)(7)(C)

23 Apr 98

WARNING

ENCLOSURE (1)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C) was asked about knowledge of the ski area at Cavalese and he said he had never briefed this low level route and was not aware of this specific ski slope in the area where the mishap occurred. However, NCIS (b)(6), (b)(7)(C) indicated it was common knowledge there were many ski areas scattered throughout the Dolomites.

NCIS (b)(6), (b)(7)(C) asked what the standard speed low level training missions are normally flown at. He indicated they are normally planned for 360 knots or 420 knots, which gives you six miles per minute and seven miles per minute respectively. He said he had never heard of anyone planning a low level faster than 420 knots, and this was the fastest he had ever planned. He said these speeds gave the aircraft the best cornering speed and rate versus radius. NCIS (b)(6), (b)(7)(C) asked if the alleged speed of the mishap aircraft of 550 knots was too fast. NCIS (b)(6), (b)(7)(C) asked, "Do I have to answer that?" It was pointed out these were questions everyone was being asked and people had been answering them. NCIS (b)(6), (b)(7)(C) indicated he felt 550 knots was too fast for a low level training mission, and not a speed he would be going at on a low level training mission. Regarding attaining a speed of 550 knots, NCIS (b)(6), (b)(7)(C) said it is not something that just happens instantaneously, the throttle must be all the way up.

NCIS (b)(6), (b)(7)(C) was asked to explain the term "cross-compartment" as it related to aviation and he said it was a Low Altitude Tactics (LAT) term. He said it was not a commonly used term among aviators, but it meant crossing from one side of a ridge line into a valley on the other side.

NCIS (b)(6), (b)(7)(C) said Captain NCIS (b)(6), (b)(7)(C) was probably the best pilot in the squadron. He said NCIS (b)(6), (b)(7)(C) can definitely place the aircraft where he wanted it with little effort, had the best hand eye coordination in the squadron, and was considered the "best stick." NCIS (b)(6), (b)(7)(C) said Major NCIS (b)(6), (b)(7)(C) was probably the best ECMO in the squadron, but Captain NCIS (b)(6), (b)(7)(C) was one of the senior ECMO Captains and was very good at his job.

Regarding Captain NCIS (b)(6), (b)(7)(C) reputation as a pilot, NCIS (b)(6), (b)(7)(C) said he had never heard anything about any "hot-dogging" or "flat-hatting" by NCIS (b)(6), (b)(7)(C) or anyone else. NCIS (b)(6), (b)(7)(C) was asked if he had ever been in an aircraft where the pilot had flown lower or did anything that was not by the book. NCIS (b)(6), (b)(7)(C) said he has never been in an aircraft where any altitude or other restrictions were ever intentionally broken.

NCIS (b)(6), (b)(7)(C) was asked about the altitude restriction as he understood it in Aviano. He said his understanding was the restriction was 1000 ft AGL and this was due to the EA6B not being equipped with Heads Up Display (HUD) equipment. NCIS (b)(6), (b)(7)(C) was asked about the restriction relating to certain months of the year and snow covered mountains being 2000 ft AGL. NCIS (b)(6), (b)(7)(C) said he was not familiar with this

NCIS (b)(6), (b)(7)(C)

23 Apr 98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

restriction until after the mishap.

NCIS (b)(6), (b)(7)(C) was asked about the All Officers Meeting (AOM) where he held up the DG binder and told everyone to read it. NCIS (b)(6), (b)(7)(C) said he had placed the new information in the binder and had told everyone that they should read it before further flight operations. NCIS (b)(6), (b)(7)(C) said the AOM was basically a full house, but he could not say specifically if any of the mishap crew were present. NCIS (b)(6), (b)(7)(C) said on his own initiative he had went to the DG operations center and copied everything they had relating to flying in Italy and DG missions. NCIS (b)(6), (b)(7)(C) said he read through all the documents from the DG operations center and placed all the documents that pertained to his squadron in the DG read binder. He said this amounted to about 10-12 documents some having to do with general information about the base and some specifically having to do with flying in the local area. When it was pointed out one of these documents had to do with the 2000 ft AGL restriction. NCIS (b)(6), (b)(7)(C) indicated he had read the document, but had not assimilated it.

NCIS (b)(6), (b)(7)(C) said he was working in operations when he first heard of the mishap. He could not recall exactly who he heard it first from, but the initial information was that they had lost an electronics pod from the aircraft. NCIS (b)(6), (b)(7)(C) said the aircraft could have had radio contact with the ready room, maintenance, or TERPES. NCIS (b)(6), (b)(7)(C) said the TERPES section has a radio with more range than that of the ready room or maintenance, and explained the TERPES section has something to do with real time signal analysis.

NCIS (b)(6), (b)(7)(C) said he was in the ready room while the crew was still in the air and Captain NCIS (b)(6), (b)(7)(C) was the ODO. Captain NCIS (b)(6), (b)(7)(C) tasked NCIS (b)(6), (b)(7)(C) and Captain NCIS (b)(6), (b)(7)(C) on making some phone calls on a mishap notification list. NCIS (b)(6), (b)(7)(C) said there were many officers in the ready room when the crew came to the ready room, but he could not say specifically who all was present. NCIS (b)(6), (b)(7)(C) said he did not hear anything from any of the crew members about what they had seen or what had happened.

NCIS (b)(6), (b)(7)(C) said he did not have any direct contact or conversation with any of the crew members. NCIS (b)(6), (b)(7)(C) said he was not close friends with any of the mishap crew members, and has not had any conversation with them since the mishap, nor has he heard from anyone else what they have said about the mishap. NCIS (b)(6), (b)(7)(C) was asked when the last time he had seen any of the crew members was, and said Captain NCIS (b)(6), (b)(7)(C) had stopped by a few days ago and a conversation started regarding what types of things NCIS was asking. NCIS (b)(6), (b)(7)(C) said he had seen all the mishap crew members from time to time since they returned to Cherry Point, but specifics about the mishap have not been discussed.

NCIS (b)(6), (b)(7)(C) was asked how it was that Captain NCIS (b)(6), (b)(7)(C) was scheduled to make the flight with members of VMAQ-2. NCIS (b)(6), (b)(7)(C) stated that he had scheduled NCIS (b)(6), (b)(7)(C) for the flight and it was just because they had

NCIS (b)(6), (b)(7)(C)

23 Apr 98

WARNING

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

an empty seat to fill.

NCIS (b)(6), (b)(7)(C) was asked about LtCol NCIS (b)(6), (b)(7)(C) as the commanding officer (CO). NCIS (b)(6), (b)(7)(C) said with the CO safety was the number one priority, and he never advocated anything other than safety. NCIS (b)(6), (b)(7)(C) said he was very sharp on details. NCIS (b)(6), (b)(7)(C) said the executive officer (XO), LtCol NCIS (b)(6), (b)(7)(C) was very much the same as the CO and was very quiet and conservative. NCIS (b)(6), (b)(7)(C) said the operation officer (OPSO), Major NCIS (b)(6), (b)(7)(C) was also very safety minded and would never advocate anything that would push the limit.

NCIS (b)(6), (b)(7)(C) was asked about the radalt problem allegedly experienced by and Captain NCIS (b)(6), (b)(7)(C) on the mishap aircraft earlier in the day prior to the mishap. NCIS (b)(6), (b)(7)(C) said the radalt had beeped while they were at an altitude of around 18,000-20,000 feet MSL. NCIS (b)(6), (b)(7)(C) said initially they thought Major NCIS (b)(6), (b)(7)(C) who was piloting another aircraft they were trying to link up with had passed underneath them causing the beep, but this was found not to be the case. NCIS (b)(6), (b)(7)(C) said they checked the radalt out on the way back down and it was operating properly. NCIS (b)(6), (b)(7)(C) was asked how this information came to light with the JagMan board, and said he did not remember how it came about.

Captain NCIS (b)(6), (b)(7)(C) declined to make a sworn statement. On 23Apr98, Reporting Agent (RA) met with Captain NCIS (b)(6), (b)(7)(C) and he was given the opportunity to review this document in its original form based on the earlier interview. Captain NCIS (b)(6), (b)(7)(C) was allowed to make changes to the document.

## BIOGRAPHICAL DATA

EMPLOYMENT: Captain, USMC, VMAQ2, MCAS Cherry Point, NC

SSAN: [REDACTED]

DOB: NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: NCIS (b)(6), (b)(7)(C)

OFFICE: NCISFO Carolinas

DATE TYPED: 23APR98

NCIS (b)(6), (b)(7)(C)

23 Apr 98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 15Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC regarding his knowledge of specific information relative to this investigation and general background and procedural information from his squadron. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) an Electronic Countermeasures Officer (ECMO) with VMAQ-2, and has a secondary job in the squadron as the scheduling and ECMO training officer.

NCIS (b)(6), (b)(7)(C) indicated he joined his squadron on 10Oct95, and had deployed with them once previously to Italy during Mar-Sep96. NCIS (b)(6), (b)(7)(C) indicated he had not flown any low level training missions during the most recent deployment, but did fly 2-3 during his previous deployment to Aviano. He said at least two of these were AV047, the mishap low level route.

NCIS (b)(6), (b)(7)(C) said he had not attended any formal training with any of the mishap crew in flight school. He indicated he had flown a number of times with all the crew members except Capt [REDACTED] NCIS (b)(6), (b)(7)(C) who he had never flown with. NCIS (b)(6), (b)(7)(C) said he had flown as ECMO1 a number<sup>few</sup> of times with Capt [REDACTED] NCIS (b)(6), (b)(7)(C) the pilot, and probably on low level training missions, but could not remember specifically.

NCIS (b)(6), (b)(7)(C) was asked what would be involved in planning and briefing a low level training mission in Aviano. He said he would pull the appropriate charts from a chart file and review the route. He said he would then consult the 31st Fighter Wing Pilot Aid Handbook and other SOPs to insure they were flying the route properly. NCIS (b)(6), (b)(7)(C) said the Pilot or ECMO1 would normally brief the flight.

When asked what the duties of the ECMO1 were on the flight he said they were primarily obstacle clearance, navigation, timing, and communications.

NCIS (b)(6), (b)(7)(C) said the AV047 low level route was a very popular route which all the pilots and ECMO's wanted to fly if given the opportunity.

NCIS (b)(6), (b)(7)(C) said it was the most spectacular low level route he had ever been on. He said it gave the pilot and ECMO1 more of a challenge than most routes. He said the ECMO2 and ECMO3 were basically just passengers of the low level routes.

NCIS (b)(6), (b)(7)(C) was asked about knee board cards utilized by crew members. [REDACTED] NCIS (b)(6), (b)(7)(C) said they are primarily used for timing and fuels. When asked specifically what he would take it to mean if he saw 2000 ft AGL printed on a card he said he would interpret this as an altitude restriction. He said the TEAM card is primarily used as a planning tool, and there would be cards around for specific routes.

**ENCLOSURE(2)**

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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PROCESS

CCN: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C) was asked about ski areas in the area and he said he had never briefed this low level route and was not aware there were ski slopes in the area. NCIS (b)(6), (b)(7)(C) then told most who had been interviewed indicated although they were not familiar with the specific ski area where the mishap occurred, they said it was common knowledge this general area was frequented with ski areas. NCIS (b)(6), (b)(7)(C) stated, "I wouldn't say that".

NCIS (b)(6), (b)(7)(C) was asked what the standard speed low level training missions are normally flown at. He indicated they are normally planned for 360 knots or 420 knots, which gives you six miles per minute and seven miles per minute respectively. He said he had never heard of anyone planning a low level faster than 420 knots, and this was the fastest he had ever planned. He said these speeds gave the aircraft the best cornering speed and rate versus radius. NCIS (b)(6), (b)(7)(C) asked if the alleged speed of the mishap aircraft of 550 knots was too fast. NCIS (b)(6), (b)(7)(C) asked, "Do I have to answer that?" It was pointed out these were questions everyone was being asked and people had been answering them. NCIS (b)(6), (b)(7)(C) indicated he felt 550 knots was too fast for a low level training mission, and not a speed he would be going at on a low level training mission. Regarding attaining a speed of 550 knots, NCIS (b)(6), (b)(7)(C) said it is not something that just happens instantaneously, the throttle must be all the way up, and you have to be trying to attain this speed.

NCIS (b)(6), (b)(7)(C) was asked to explain the term "cross-compartment" as it related to aviation and he said it was a Low Altitude Tactics (LAT) term. He said it was not a commonly used term among aviators, but it meant crossing from one side of a ridge line into a valley on the other side.

NCIS (b)(6), (b)(7)(C) said Captain NCIS (b)(6), (b)(7)(C) was probably the best pilot in the squadron. He said NCIS (b)(6), (b)(7)(C) can definitely place the aircraft where he wanted it with little effort, had the best hand eye coordination in the squadron, and was considered the "best stick". NCIS (b)(6), (b)(7)(C) said Major NCIS (b)(6), (b)(7)(C) was probably the best ECMO in the squadron, but Captain NCIS (b)(6), (b)(7)(C) was one of the senior ECMO Captains and was very good at his job.

Regarding Captain NCIS (b)(6), (b)(7)(C) reputation as a pilot, NCIS (b)(6), (b)(7)(C) said he had never heard anything about any "hot-dogging" or "flat-hatting" by anyone else. NCIS (b)(6), (b)(7)(C) was asked if he had ever been in an aircraft where the pilot had flown lower or did anything that was not by the book. NCIS (b)(6), (b)(7)(C) said he has never been in an aircraft where any altitude or other restrictions were ever intentionally broken.

NCIS (b)(6), (b)(7)(C) was asked about the altitude restriction as he understood it in Aviano. He said his understanding was the restriction was 1000 ft AGL and this was due to the EA6B not being equipped with Heads

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

Up Display (HUD) equipment NCIS (b)(6), (b)(7)(C) asked about the restriction relating to certain months of the year and snow covered mountains being 2000 ft AGL. NCIS (b)(6), (b)(7)(C) said he was not familiar with this restriction until after the mishap.

NCIS (b)(6), (b)(7)(C) asked about the All Officers Meeting (AOM) where he held up the DG binder and told everyone to read it. NCIS (b)(6), (b)(7)(C) said he had placed the new information in the binder and had told everyone that they should read it before further flight operations. NCIS (b)(6), (b)(7)(C) said the AOM was basically a full house, but he could not say specifically if any of the mishap crew were present. NCIS (b)(6), (b)(7)(C) said on his own initiative he had went to the DG operations center and copied everything they had relating to flying in Italy and DG missions. NCIS (b)(6), (b)(7)(C) said he read through all the documents from the DG operations center and placed all the documents that pertained to his squadron in the DG read binder. He said this amounted to about 15 documents some having to do with general information about the base and some specifically having to do with ~~DG missions~~. When it was pointed out one of these documents had to do with the 2000 ft AGL restriction, NCIS (b)(6), (b)(7)(C) indicated he had read the document, but had not assimilated it.

*→ Flying in the local area*

NCIS (b)(6), (b)(7)(C) said he was working in operations when he first heard of the mishap. He could not recall exactly who he heard it first from, but the initial information ~~he thought~~ was that they had lost an electronics pod from the aircraft. NCIS (b)(6), (b)(7)(C) said the aircraft could have had radio contact with the ready room, maintenance, or TERPES.

NCIS (b)(6), (b)(7)(C) said the TERPES section has a radio with more range than that of the ready room or maintenance, and explained the TERPES section has something to do with real time signal analysis.

NCIS (b)(6), (b)(7)(C) said he was in the ready room while the crew was still in the air and Captain NCIS (b)(6), (b)(7)(C) was the ODO. Captain NCIS (b)(6), (b)(7)(C) asked NCIS (b)(6), (b)(7)(C) if Captain NCIS (b)(6), (b)(7)(C) can making some phone calls on a mishap notification list. NCIS (b)(6), (b)(7)(C) said there were many officers in the ready room when the crew came to the ready room, but he could not say specifically who all was present. NCIS (b)(6), (b)(7)(C) said he did not hear anything ~~from~~ any of the crew members about what they had seen or what had happened.

*From*

NCIS (b)(6), (b)(7)(C) said he did not have any direct contact or conversation with any of the crew members. NCIS (b)(6), (b)(7)(C) said he was not close friends with any of the mishap crew members, and has not had any conversation with them since the mishap, nor has he heard from anyone else what they have said about the mishap. NCIS (b)(6), (b)(7)(C) asked when the last time he had seen any of the crew members and said ~~he had sat in on a meeting of squadron officers at his squadron where the mishap crew members were present~~. NCIS (b)(6), (b)(7)(C) stated, "It was after you guys rolled into town and we were going over the questions you guys were asking."

*They came to the squadron stepped by a few days at sea use to see how things were going. A conversation started started about what type of things the NCIS was asking.*

**WARNING**

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

NCIS (b)(6), (b)(7)(C) was asked how it was that Captain NCIS (b)(6), (b)(7)(C) was scheduled to make the flight with members of VMAQ-2 NCIS (b)(6), (b)(7)(C) stated that he had scheduled NCIS (b)(6), (b)(7)(C) for the flight and it was just because they had an empty seat to fill.

NCIS (b)(6), (b)(7)(C) was asked about LtCol NCIS (b)(6), (b)(7)(C) the commanding officer (CO). NCIS (b)(6), (b)(7)(C) said with the CO safety was the number one priority, and he never advocated anything other than safety. NCIS (b)(6), (b)(7)(C) said he was very sharp on details. NCIS (b)(6), (b)(7)(C) said the executive officer (XO), LtCol NCIS (b)(6), (b)(7)(C) was very much the same as the CO and was very quiet and conservative. NCIS (b)(6), (b)(7)(C) said the operation officer (OPSO), Major NCIS (b)(6), (b)(7)(C) was also very safety minded and would never advocate anything that would push the limit.

NCIS (b)(6), (b)(7)(C) was asked about the radalt problem allegedly experienced by and Captain NCIS (b)(6), (b)(7)(C) on the mishap aircraft earlier in the day prior to the mishap. NCIS (b)(6), (b)(7)(C) said the radalt had beeped while they were at an altitude of around 18,000-20,000 feet MSL. NCIS (b)(6), (b)(7)(C) said initially they thought Major NCIS (b)(6), (b)(7)(C) who was piloting another aircraft they were trying to link up with had passed underneath them causing the beep, but this was found not to be the case. NCIS (b)(6), (b)(7)(C) said they checked the radalt out on the way back down and it was operating properly. NCIS (b)(6), (b)(7)(C) was asked how this information came to light with the JagMan board, and said he did not remember how it came about.

NCIS (b)(6), (b)(7)(C) was asked what his opinion of what had happened to cause the mishap was. He stated, "They were taking advantage of a very good training opportunity, which we seldom get anymore, because our training program sucks. NCIS (b)(6), (b)(7)(C) went on to say there were too many restrictions on low level training and not enough training opportunities to become proficient on low level routes in the EA6B aircraft.

at various levels. FLE. Restrictions, limited jet availability, and low altitude restrictions.  
Captain NCIS (b)(6), (b)(7)(C) declined to make a sworn statement.

BIOGRAPHICAL DATA

EMPLOYMENT: Captain, USMC, VMAQ2, MCAS Cherry Point, NC programs have been scrub away, the training programs does not challenge the pilots and they have little opportunity to hone their skills as a pilot of a tactical jet  
SSAN: [redacted]  
DOB: NCIS (b)(6), (b)(7)(C)  
POB: [redacted]

Participating Agent

NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: NCIS (b)(6), (b)(7)(C)  
OFFICE: NCISFO Carolinas  
DATE TYPED: 20APR98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPT [REDACTED] NCIS (b)(6), (b)(7)(C)

On 16Apr98, reporting agent and participating agent [REDACTED] NCIS (b)(6), (b)(7)(C) interviewed Capt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC regarding the VMAQ-2 EA6B mishap which occurred near Cavalese, Italy on 03Feb98. This interview was conducted at the request of the USMC Trial Counsels assigned to this case. [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCISRA Cherry Point office located aboard MCAS Cherry Point, NC.

[REDACTED] NCIS (b)(6), (b)(7)(C) advised he was assigned to VMAQ-2 in approximately Jun97. Prior to this assignment, he was stationed at the Replacement Air Group (RAG) located at Whidbey Island, WA.

[REDACTED] NCIS (b)(6), (b)(7)(C) confirmed he was the VMAQ-2 Operations Duty Officer (ODO) aboard Aviano AFB on 03Feb98. He recalled the mishap flight crew consisted of Capt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, Capt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, Capt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC. [REDACTED] NCIS (b)(6), (b)(7)(C) stated he was present in the VMAQ-2 Ready Room when the four mishap aircrew briefed their flight for low level route AV047. [REDACTED] NCIS (b)(6), (b)(7)(C) stated although he was present in the ready room during the brief, he was not actually a part of it. [REDACTED] NCIS (b)(6), (b)(7)(C) explained he was there in case the aircrew asked for his assistance, but he could not recall being asked to assist them in any way.

[REDACTED] NCIS (b)(6), (b)(7)(C) recalled he looked over the shoulders of the aircrew as they were going over the route portion of their brief. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated he had flown AV047 in the past, and he made comments to the aircrew about one particular place on the route. Reporting agent asked

[REDACTED] NCIS (b)(6), (b)(7)(C) if the area he commented on was the same area where the mishap occurred. [REDACTED] NCIS (b)(6), (b)(7)(C) stated he did not think so. He explained that he could not remember if he actually flew in the same valley where the mishap occurred or not. [REDACTED] NCIS (b)(6), (b)(7)(C) believed the area he discussed with the aircrew was a series of valleys just after turning off of Lake Garda, Italy. [REDACTED] NCIS (b)(6), (b)(7)(C) advised he did not interject anything else into the aircrew's brief.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated the mishap aircrew briefed the flight at 1000' AGL. He did not specifically recall which one of the aircrew briefed that altitude, but he was sure it was either Capt [REDACTED] NCIS (b)(6), (b)(7)(C) or Capt [REDACTED] NCIS (b)(6), (b)(7)(C). [REDACTED] NCIS (b)(6), (b)(7)(C) related he heard no comments by the aircrew during the brief that indicated they were going to "horse around" on the flight or conduct an unsafe or unprofessional flight. [REDACTED] NCIS (b)(6), (b)(7)(C) added that he noted nothing out of the ordinary before, during or after the aircrew's flight brief. He advised prior to the brief, Capt [REDACTED] NCIS (b)(6), (b)(7)(C) approached him at the last minute and asked if he could go on the flight. [REDACTED] NCIS (b)(6), (b)(7)(C) related he penciled [REDACTED] NCIS (b)(6), (b)(7)(C) in for the flight and got the squadron CO's approval. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that adding a fourth person to the aircrew prior to flight is something

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

that occurs often.

NCIS (b)(6), (b)(7)(C) related the EA6B aircraft flown during the mishap flight had been flown earlier that day by Capt NCIS (b)(6), (b)(7)(C) had no knowledge of any problems with that aircraft during the earlier flight.

NCIS (b)(6), (b)(7)(C) indicated after the aircrew's flight brief, he spoke with Capt NCIS (b)(6), (b)(7)(C) about flying the low level route AV047. He noted their conversation was a short one. NCIS (b)(6), (b)(7)(C) recalled that he described some of the visual cues he experienced while flying that route at 1000' AGL. He recalled telling Capt NCIS (b)(6), (b)(7)(C) that flying through the valleys at 1000' AGL made it seem like he was closer to the ground, or at a lower altitude, because of the high mountain walls on each side. NCIS (b)(6), (b)(7)(C) noted he told Capt NCIS (b)(6), (b)(7)(C) the experience was "like flying down a hallway."

NCIS (b)(6), (b)(7)(C) stated he flew the low level route AV047 once, on 24 Nov 97. He noted he briefed and flew this flight at 1000' AGL. NCIS (b)(6), (b)(7)(C) indicated he used a chart from the "chart file" to plan for this flight. He was not sure who made the chart, or when it was made. He was sure that chart was CHUM'd by either Maj NCIS (b)(6), (b)(7)(C) his ECMO-1 for the flight, or by someone from VMAQ-2 OPS, using the CHUM information from the USAF 555 Fighter Squadron.

He did not recall flying down the valley where the mishap occurred, although he claimed he could have, but he just didn't know. NCIS (b)(6), (b)(7)(C) advised he passed over some ski areas on his low level flight, but none that caused him any concern. He claimed he did not notice anything on his AV047 low level flight that he needed tell the rest of the aircrews in the squadron about. NCIS (b)(6), (b)(7)(C) could not recall having any problems or experiencing any visual illusions or visual distortions on his AV047 flight. He described that flight as very uneventful.

NCIS (b)(6), (b)(7)(C) advised he trained at the Replacement Air Group (RAG) at Whidbey Island, WA with Capt NCIS (b)(6), (b)(7)(C) and Capt NCIS (b)(6), (b)(7)(C). He could not recall either of them ever having any problems at the RAG. NCIS (b)(6), (b)(7)(C) stated neither NCIS (b)(6), (b)(7)(C) nor NCIS (b)(6), (b)(7)(C) had a bad reputation at the RAG; rather, their reputation was just the opposite. According to NCIS (b)(6), (b)(7)(C) he heard nothing but good things about NCIS (b)(6), (b)(7)(C) and NCIS (b)(6), (b)(7)(C) at the RAG.

NCIS (b)(6), (b)(7)(C) noted he never trained with Capt NCIS (b)(6), (b)(7)(C) or Capt NCIS (b)(6), (b)(7)(C).

NCIS (b)(6), (b)(7)(C) advised he never flew with Capt NCIS (b)(6), (b)(7)(C) but he had flown in the front and rear seats with both NCIS (b)(6), (b)(7)(C). He described NCIS (b)(6), (b)(7)(C) as very good ECMO's. He noted he never had any problems with either of them when they were in his

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

plane. NCIS (b)(6), (b)(7)(C) commented specifically about Capt NCIS (b)(6), (b)(7)(C). He stated NCIS (b)(6), (b)(7)(C) thought like a pilot and had really good "Situational Awareness".

NCIS (b)(6), (b)(7)(C) was asked to describe how he would plan for a low level flight as a pilot. NCIS (b)(6), (b)(7)(C) stated he would first obtain a chart for the route, then plan for fuel and radio frequencies on the flight. He noted in the United States, he would check the AP1-B Manual to obtain details for the flight particular to the specific route. However, in Italy, he advised there was no AP1-B, so the altitude restriction he used was based on previous USMC guidance and the USAF 31st Fighter Wing Pilot Aid Handbook. According to NCIS (b)(6), (b)(7)(C) that publication listed the low level minimum at 1000' AGL and max speed at .9 mach.

NCIS (b)(6), (b)(7)(C) noted once the flight plan information was gathered, the flight would be briefed with the whole aircrew. NCIS (b)(6), (b)(7)(C) noted the pilot usually briefs the Administrative and Emergency portions of the brief, while the ECMO-1 will brief the conduct of the flight. NCIS (b)(6), (b)(7)(C) related he had never seen a "back seater" brief a flight in the past.

NCIS (b)(6), (b)(7)(C) was asked what he has written for altitude restrictions on his kneeboard during a low level flight. NCIS (b)(6), (b)(7)(C) stated he does not use a kneeboard. He indicated he relies on his ECMO-1 for the necessary information. NCIS (b)(6), (b)(7)(C) stated on a low level flight, the pilot shouldn't be looking at his knee.

NCIS (b)(6), (b)(7)(C) advised the kneeboard is used for whatever the pilot/ECMO thinks they need it for. He added, the altitude restrictions are only written on the kneeboard if the pilot/ECMO puts them there.

NCIS (b)(6), (b)(7)(C) related the "TEAMS" cards on the kneeboards contain whatever information the person making them puts on them. He noted a new TEAMS card is not necessarily made for every flight. According to NCIS (b)(6), (b)(7)(C) an aircrew can use the TEAMS card completed by another aircrew which completed the same type of flight at an earlier date.

NCIS (b)(6), (b)(7)(C) did not know what was on the mishap aircrew's kneeboards. When told the mishap aircrew's kneeboard cards supposedly contain the altitude 2000' AGL on them, he could not be sure what that represented. NCIS (b)(6), (b)(7)(C) believed that altitude could have to do with fuel planning.

NCIS (b)(6), (b)(7)(C) stated low level training flights are usually briefed at 420 knots, or 7 miles per minute. However, he noted "Speed is Life", particularly on low level flights. NCIS (b)(6), (b)(7)(C) indicated the best "cornering speed" is between 420-450 knots. He explained that to be the best speed to make a good turn in the plane, where the pilot

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

doesn't have to trade altitude for air speed. NCIS (b)(6), (b)(7)(C) opined it is not difficult to reach a speed of 550 knots without the pilot noticing it. He did not feel the throttles would have to be all the way up in the forward position to attain that speed.

NCIS (b)(6), (b)(7)(C) was asked what he thought might have happened to cause the mishap aircrew to have struck the cable. NCIS (b)(6), (b)(7)(C) stated he had no idea what got the mishap aircrew down as low as they were. He opined they were flying along at around 1000' AGL and saw something that caused them to do a -2G Spike. He believed they dropped to a low altitude as a result of the Spike, and on the way up they hit the cable. According to NCIS (b)(6), (b)(7)(C) if the mishap crew was flying below 500' AGL, there is no way the pilot would have done a -2G Spike in order to avoid the cable. NCIS (b)(6), (b)(7)(C) stated "no sane man would do a -2G Spike at 500' (AGL)." NCIS (b)(6), (b)(7)(C) described that a -2G Spike would thrust the pilot and ECMO up into the canopy, and the pilot would be reaching for his controls below him for a brief period of time. NCIS (b)(6), (b)(7)(C) believed a -2G Spike at 500' AGL or less would put an aircraft into the ground.

NCIS (b)(6), (b)(7)(C) was asked to recall the events of 03Feb98, after the mishap flight took off from Aviano AFB. NCIS (b)(6), (b)(7)(C) was the ODO that afternoon. He indicated he was in the Ready Room with the radio on when the mishap aircrew made initial contact. NCIS (b)(6), (b)(7)(C) stated about 40 minutes after take off, he received a standard radio call from Capt NCIS (b)(6), (b)(7)(C) is the call sign for the particular aircraft involved in the mishap. NCIS (b)(6), (b)(7)(C) described NCIS (b)(6), (b)(7)(C) voice as sounding calm and collected, and he never would have known there was a problem. NCIS (b)(6), (b)(7)(C) so indicated he thought NCIS (b)(6), (b)(7)(C) was making the standard "10 minute out" call, and he replied "go ahead." NCIS (b)(6), (b)(7)(C) according to NCIS (b)(6), (b)(7)(C) then stated something to the effect of, "can you rig the gear, we've got structural damage." NCIS (b)(6), (b)(7)(C) replied "Roger that," and he proceeded to make the necessary telephone calls to have the gear rigged.

NCIS (b)(6), (b)(7)(C) advised he put his radio down and called the Aviano AFB Safety of Flight (SOF) Officer to tell them to rig the gear at the approach end of runway 5. NCIS (b)(6), (b)(7)(C) stated he then instructed Capt NCIS (b)(6), (b)(7)(C) USMC, to go to the runway to assist in landing the plane. NCIS (b)(6), (b)(7)(C) is a pilot who was on the advance party to Aviano from VMAQ-4. NCIS (b)(6), (b)(7)(C) related NCIS (b)(6), (b)(7)(C) was to act as the Landing Signal Officer (LSO) for the incoming plane, but NCIS (b)(6), (b)(7)(C) did not think NCIS (b)(6), (b)(7)(C) ever made it over to the runway.

NCIS (b)(6), (b)(7)(C) indicated at about that time, LTCON NCIS (b)(6), (b)(7)(C) came to the Ready Room. He told LTCON NCIS (b)(6), (b)(7)(C) there was a problem, and that 02 had structural damage. According to NCIS (b)(6), (b)(7)(C) asked him what they hit. NCIS (b)(6), (b)(7)(C) said he didn't know, and LTCON NCIS (b)(6), (b)(7)(C) told NCIS (b)(6), (b)(7)(C)

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CCN: 15APR98-0023-0036-7HMS

call the plane and ask them.

NCIS (b)(6), (b)(7)(C) stated he called the plane via radio and Capt NCIS (b)(6), (b)(7)(C) answered. NCIS (b)(6), (b)(7)(C) noted NCIS (b)(6), (b)(7)(C) voice sounded excited. NCIS (b)(6), (b)(7)(C) to state the nature of their problem, and NCIS (b)(6), (b)(7)(C) replied they had "structural damage to wing, lost combined hydraulics and were leaking fuel." NCIS (b)(6), (b)(7)(C) stated he did not speak with any of the aircrew on 02 after his communication with NCIS (b)(6), (b)(7)(C) indicated he apprised LTCOL NCIS (b)(6), (b)(7)(C) information.

NCIS (b)(6), (b)(7)(C) believed 02 was a little over 50 miles out from Aviano AFB at the time he contacted NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) advised he did not talk to Capt NCIS (b)(6), (b)(7)(C) during any of his radio contact with 02.

NCIS (b)(6), (b)(7)(C) communicated with NCIS (b)(6), (b)(7)(C) on 02 via UHF radio frequency. According to NCIS (b)(6), (b)(7)(C) the same UHF frequency is monitored by the Maintenance Section and by the TERPES operators in the Electronic Warfare Section. According to NCIS (b)(6), (b)(7)(C) no one in the squadron tape records the transitions on their base radio frequency. NCIS (b)(6), (b)(7)(C) stated he did not monitor, take part in, nor hear, any other radio traffic with 02. NCIS (b)(6), (b)(7)(C) stated he was the only person talking to the aircrew in 02 on the Ready Room radio. He stated he heard all of the calls 02 made to the Ready Room, and he was the only one who spoke to them. NCIS (b)(6), (b)(7)(C) recalled there were others in the Ready Room at the time the call came in, but he was not sure who.

He added that he did not know if 02 had already contacted the Air Traffic Control (ATC) Tower at Aviano AFB prior to calling him on the radio. NCIS (b)(6), (b)(7)(C) also did not know if 02 had spoken with the ATC on the approach for landing.

NCIS (b)(6), (b)(7)(C) estimated 02 landed about 10 minutes after he spoke to Capt NCIS (b)(6), (b)(7)(C) on the radio.

NCIS (b)(6), (b)(7)(C) indicated at first he thought he had a Class B or C mishap because he initially thought the plane had lost one of its pods. NCIS (b)(6), (b)(7)(C) was unclear about how he got that impression. He believed at some point shortly after the plane landed, someone who saw the plane made a comment about a pod being lost. NCIS (b)(6), (b)(7)(C) stated he did not initiate the mishap plan until after he learned they had a Class A Mishap (the most serious).

NCIS (b)(6), (b)(7)(C) stated the OPS Officer, MAJ NCIS (b)(6), (b)(7)(C) came to the Ready Room after the plane landed and told him there were deaths, and it was a "Class A" (mishap). NCIS (b)(6), (b)(7)(C) was not sure where MAJ NCIS (b)(6), (b)(7)(C) heard

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TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

that information, but he believed LTCON [redacted] received a call from someone who informed him of the deaths. [redacted] indicated once he heard that news, he initiated the mishap plan. He said from that point on he spent the next several hours at the making and answering telephone calls about the incident.

[redacted] stated he conducted the mishap process from behind the ODO's desk at the Ready Room. He recalled Capt [redacted] assisted him as the timekeeper, and Capt [redacted] made the "5 Minute" telephone call. [redacted] could not recall the names and assignments of everyone who assisted him in the mishap process, but he advised the VMAQ-2 Mishap Binder would have everyone's name and assignment written in it. He indicated the VMAQ-2 Mishap Binder should still contain the above mentioned information. [redacted] described the Ready Room at this time as "full of people" and a "flurry of activity."

[redacted] stated when the mishap aircrew entered the Ready Room they appeared to be in shock. He noted his only contact with them was to ask them if they were alright. [redacted] stated he shook [redacted] hand and told him something like, "good work...I can't believe you got the plane back." [redacted] related he was unable to spend more time with the aircrew because he had to conduct the mishap process. [redacted] indicated he was too involved in the mishap process to have heard the mishap aircrew make any statements about their accident. [redacted] did not recall LTCON [redacted] and the aircrew going over and discussing the incident in the Ready Room.

[redacted] advised the mishap aircrew were eventually taken to the hospital at Aviano AFB for physicals. He believed one reason they were taken there was to isolate them from the television news, which was already reporting the incident. [redacted] recalled later that night MAJ [redacted] and Capt [redacted] from the VMAQ-2 Safety Department, took statements about the incident from each of the mishap aircrew.

Additional information provided by [redacted] concerned the VMAQ-2 CO (LTCON [redacted] XO (LTCON [redacted] and OPS Officer (MAJ [redacted]) [redacted] described them all as "by the book, totally", and he indicated they all pay attention to detail. [redacted] opined the CO and XO knew everything that was going on, and were on top of everything, especially when it came to disseminating information the squadron needed at Aviano. [redacted] related the CO fought for vehicles, better living conditions and even toilet paper while the squadron was at Aviano. He noted OPS ran a tight ship, and was always on the Air Force to get the information VMAQ-2 needed.

[redacted] described Capt [redacted] as the best pilot in the squadron, with the best hands in the squadron. He added that [redacted] was one of the

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smoothest Section Leader NCIS (b)(6), (b)(7)(C) had ever flown off of NCIS (b)(6), (b)(7)(C) also opined all of the ECMO's are equally as good as one another.

NCIS (b)(6), (b)(7)(C) related he had never heard any negative information about Capt NCIS (b)(6), (b)(7)(C) or any information describing NCIS (b)(6), (b)(7)(C) as having a "Cowboy" attitude. According to NCIS (b)(6), (b)(7)(C) the only reputation he ever heard about NCIS (b)(6), (b)(7)(C) was at the RAG, where he heard that NCIS (b)(6), (b)(7)(C) was a good pilot.

NCIS (b)(6), (b)(7)(C) was asked to describe the difference between a "-2G Spike" and a "bunt" in the aircraft which has a wings-level attitude. NCIS (b)(6), (b)(7)(C) stated a "bunt" is very different from a "spike." He explained when a pilot "bunts" the aircraft, it is a maneuver which drops the nose of the aircraft slightly in order to change its course. NCIS (b)(6), (b)(7)(C) related during a "bunt", he might hit .5 - 0 G's. In contrast NCIS (b)(6), (b)(7)(C) explained that in order to achieve a -2G "Spike", the pilot would have to "stuff" the stick forward. As a result, the nose of the plane would end pointing toward the ground. NCIS (b)(6), (b)(7)(C) explained the occupants of the cockpit would be thrust toward the canopy, and the pilot would be reaching for the controls.

NCIS (b)(6), (b)(7)(C) was asked if he recalled the All Officers Meeting (AOM) in Aviano during which Capt NCIS (b)(6), (b)(7)(C) reportedly held up the Deliberate Guard binder and suggested the officers read it prior to their next flight. NCIS (b)(6), (b)(7)(C) advised he was at the Combined Air Operations Center (CAOC) in Vincenza, Italy at the time that AOM took place.

NCIS (b)(6), (b)(7)(C) was asked to explain what his actions would be if he were involved in an in-flight emergency situation. NCIS (b)(6), (b)(7)(C) indicated after getting over the initial reaction, he would "punch the clock" in order to take a second to gather himself and think clearly. He would then climb to a higher altitude, point his aircraft toward his landing field and declare an emergency. NCIS (b)(6), (b)(7)(C) noted he would also think about different landing scenarios, think about the controllability of the plane, go through the pertinent check-lists, possibly slow his flight speed and then communicate with the tower. NCIS (b)(6), (b)(7)(C) advised he would ensure he had enough control of the plane prior to initiating communication with the tower.

NCIS (b)(6), (b)(7)(C) provided no additional information pertinent to this investigation. He was unable to provide a sworn statement due to his short schedule before leaving for Operation Green Flag in Las Vegas, NV on 17Apr98.

## BIOGRAPHICAL DATA

NCIS (b)(6), (b)(7)(C) /Capt USMC

SSN: NCIS (b)(6), (b)(7)(C)  
DOB: NCIS (b)(6), (b)(7)(C)

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**POB:  
UNIT**

NCIS (b)(6), (b)(7)(C)

**WKPHI**

**PARTICIPATING AGENT**

NCIS (b)(6), (b)(7)(C)

**SA, NCISFO Carolinas, CLNC**

**REPORTED BY:  
OFFICE:**

NCIS (b)(6), (b)(7)(C)

**NCISFO CAROLINAS**

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CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 16Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC relative to this investigation by Reporting Agent (RA) and Participating Agent [REDACTED] NCIS (b)(6), (b)(7)(C). At the time of the interview [REDACTED] NCIS (b)(6), (b)(7)(C) said he may be willing to make a sworn statement, but wanted to see it written up before making a final decision. RA prepared the statement and met with [REDACTED] NCIS (b)(6), (b)(7)(C) again at Cherry Point on 23Apr98. [REDACTED] NCIS (b)(6), (b)(7)(C) reviewed the statement as prepared from notes taken by RA and PA from the earlier interview. The only change made to the report had to do with procedures in declaring an emergency in a like situation to that experienced by the mishap crew. [REDACTED] NCIS (b)(6), (b)(7)(C) made a decision to not make the statement a sworn statement, but agreed to sign each page of the statement indicating he had reviewed it, and agreed the information was accurate. The unsigned statement is appended as enclosure (1). A copy of the original unsigned statement with pen changes made by [REDACTED] NCIS (b)(6), (b)(7)(C) is appended as enclosure (2).

## ENCLOSURES:

- (1). Unsigned STMT of Captain [REDACTED] NCIS (b)(6), (b)(7)(C) 23Apr98
- (2). Original unsigned STMT of Captain [REDACTED] NCIS (b)(6), (b)(7)(C) 23Apr98

## BIOGRAPHICAL DATA

EMPLOYMENT: Captain, USMC, VMAQ-2, MCAS Cherry Point, NC

SSAN [REDACTED]

DOB: [REDACTED] NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

## Participating Agent

[REDACTED] NCIS (b)(6), (b)(7)(C) SA, NCISFO Carolinas, Camp Lejeune, NC

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)  
OFFICE: NCISFO Carolinas  
DATE TYPED: 27APR98

## WARNING

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE  
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HERE TO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC  
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

STATEMENT

PLACE: NCISRA Cherry Point, NC

DATE: 23APR98

I, NCIS (b)(6), (b)(7)(C), make the following free and voluntary statement to NCIS (b)(6), (b)(7)(C) whom I know to be a Special Agent of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the aircraft mishap involving my squadron while deployed to Aviano, Italy.

For the purpose of identification, I am NCIS (b)(6), (b)(7)(C), and I am a Captain in the USMC currently assigned to VMAQ-2 at MCAS Cherry Point, NC. My social security number is NCIS (b)(6), (b)(7)(C) and I was born on NCIS (b)(6), (b)(7)(C)

Items discussed in this statement are the result of an interview with Special Agents NCIS (b)(6), (b)(7)(C) conducted on 16Apr98.

I am an Electronic Counter Measures Officer (ECMO) in my squadron and have been with VMAQ-2 since Dec95. I was deployed with my squadron once to Aviano previously prior to the most recent deployment. The dates of the previous deployment were Mar-Sep96. I flew no low level training missions during the most recent deployment, and I think I only flew one low level training mission on the previous deployment. I am not sure, but I do not think the one I flew was AV047, the mishap route.

I did not attend any training or flight school with any of the mishap crew. I was at Whidbey Island during the same time Captain NCIS (b)(6), (b)(7)(C) was there so we overlapped some. I basically knew who he was, but we did not get to know each other well there. I have flown numerous times with Captain NCIS (b)(6), (b)(7)(C) and Captain NCIS (b)(6), (b)(7)(C) I have also flown a good deal with Captain NCIS (b)(6), (b)(7)(C) but less than NCIS (b)(6), (b)(7)(C) I have never flown with Captain NCIS (b)(6), (b)(7)(C)

If I were to plan a low level training mission in Aviano I would basically go through the following steps: 1. Identify the route and route structure; 2. Make a chart or pull an old chart if available; 3. Update the chart by means of a CHUM; 4. File a flight plan with ATC by faxing it to them; and 5. Review low level procedures in the 31st Fighter Wing Pilot Aid Handbook. The pilot and ECMO1 are usually both involved in the planning of the mission.

The briefing of the flight would normally be a team effort by the pilot and ECMO1. The pilot would brief general administration of the flight as well as emergency procedures. ECMO1 would brief the mission itself and each leg of the flight in detail.

It was common knowledge to me that there were ski areas throughout the area of Italy where the mishap occurred. I did not have specific knowledge of the ski area at Cavalese. I believe the chart used for AV047 had a crossed ski's symbol over Cavalese.

As ECMO1 my primary duties on a low level training flight would be navigation and communications. Knee board cards are commonly used in the aircraft and include anything that will assist you in flying the mission. This could include the route, turn points, headings, distance, longitude, latitude, altitude restrictions, etc. The card should have information that mirrors the actual chart for the flight. If I saw 2000 ft AGL printed on a knee board card made by someone else I would not necessarily know what this meant. It would cause me to ask some questions to determine what it meant. Things I can think of that it could mean would be an altitude for fuel consumption purposes, or an actual altitude restriction.

My understanding of the altitude restrictions while flying in Aviano was that it was 1000 ft AGL for low level flights, and I based this understanding on the USMC restriction for aircraft that are not equipped with Head Up Display (HUD) instrumentation. I do remember there were areas around Lake Garda where there were restrictions of 1500 feet AGL. I was not familiar with the 2000 ft AGL restriction or the 2000 ft AGL restriction having to do with certain months or when there was snow on the mountains until after the mishap. If I had flown any low level training missions while on the deployment I may have learned of these restrictions while doing the pre-flight planning.

Low level training missions are normally planned at speeds of 360 or 420 knots, but some are planned as fast as 480 knots. It has been my experience that most are planned at 420 knots. 550 knots is very fast for a low level training mission, but you could attain this speed if you are behind on your timing marks and trying to make up time. You could also attain this speed after a ridge line crossing via gravity, as you were descending on the other side of the ridge line.

I am not familiar with the term "cross-compartment" in relation to aviation. If I were to guess I would say this is more like cross compartmentalizing, or scanning instruments then scanning things outside the aircraft for comparison.

LtCol **NCIS (b)(6), (b)(7)(C)** is a great CO. He is very by the book and very good at what he does. He tends to micro manage in that he knows everything that is going on in the squadron, but not in a negative way. LtCol **NCIS (b)(6), (b)(7)(C)** very much like the CO as the XO, but perhaps a little less confident in his abilities with this aircraft because of his transition over from A6's. LtCol **NCIS (b)(6), (b)(7)(C)** was basically made the XO through default because the previous XO, LtCol **NCIS (b)(6), (b)(7)(C)** was relieved on our earlier deployment to Aviano due to a bar fight situation.

I would say Captain **NCIS (b)(6), (b)(7)(C)** the best pilot in our squadron regarding hand-eye coordination, and manipulating the throttle. He is probably the best at putting the aircraft exactly where he wants it to be, but overall I would rate LtCol **NCIS (b)(6), (b)(7)(C)** the best pilot due to his knowledge and experience. I think Captain **NCIS (b)(6), (b)(7)(C)** should be considered a hero the way he brought that aircraft back with all the damage it had and everyone intact. I would consider Captain **NCIS (b)(6), (b)(7)(C)** Captain **NCIS (b)(6), (b)(7)(C)** probably the best ECMO's, but I never flew much with Captain **NCIS (b)(6), (b)(7)(C)** to judge.

When the mishap occurred I was in the back room of the ready room working on a mission plan for our return trip to Cherry Point. A radio call came in and Captain **NCIS (b)(6), (b)(7)(C)** who was the Operations Duty Officer (ODO) said Captain **NCIS (b)(6), (b)(7)(C)** had called in saying they were coming back and they had structural damage. I don't know how for sure how or why, but we started thinking maybe they had lost an electronics pod off the aircraft causing the structural damage. Captain **NCIS (b)(6), (b)(7)(C)** started asking people to do certain things to help out when things started happening and, I believe we were working on getting a TFOA (things falling off aircraft) message together relative to our belief the aircraft must have lost a pod. I remember the CO was just outside the ready room talking on a cellular telephone while things were going on. He came back inside at one point and said, "they must have hit wires". Captain **NCIS (b)(6), (b)(7)(C)** asked other officers to assist him in executing the mishap plan. Myself and Captain **NCIS (b)(6), (b)(7)(C)** assisted him in working on a message and making phone calls from a list of notification numbers in the mishap binder. **NCIS (b)(6), (b)(7)(C)** and I prepared the TFOA message and made these calls from the Operations and Safety spaces, not from the ready room. When I returned to ready room I heard all the mishap crew had been taken to medical for physicals. I recall seeing a grease pen drawing on the grease board in the ready room that had something to do with the mishap, but don't know for sure what it was. All the notes and paperwork generated

during those hours immediately following the mishap were placed in a mishap folder in the ready room. I remember seeing CNN in the ready room and they had confirmed the deaths on the gondola.

I did not personally see any of the mishap crew immediately after the mishap. It was right around midnight that night that I saw Captain NCIS (b)(6), (b)(7)(C) coming back to his hooch and he was wearing a cast. It was right after he arrived back in the billeting area that Captain NCIS (b)(6), (b)(7)(C) arrived and took Captain NCIS (b)(6), (b)(7)(C) with him to interview him. It was between approximately midnight and 0200 hours that Captain NCIS (b)(6), (b)(7)(C) and Major NCIS (b)(6), (b)(7)(C) were interviewing the mishap crew. This had to do with the preliminary safety investigation they were conducting and I think they wanted to get the information as soon as possible while it was fresh in their minds.

Since the mishap I have not heard any of them talk about or describe what happened prior to or after the mishap. I have asked them over beers to explain and they all have indicated they could not talk about it.

I was not at the all officers meeting when Captain NCIS (b)(6), (b)(7)(C) is said to have held up the DG binder and told everyone to read the new information. I was on leave at the time in the U.S.

I have never witnessed or heard anything about Captain NCIS (b)(6), (b)(7)(C) being a "cowboy", or "hot-dogging/flat-hatting". to some people he may come across as cocky, but those who have flown with him would never think of him in these ways.

If I were in an aircraft as ECMO1 which experienced an emergency situation like this, or of similar magnitude, the priority immediately would be to gain altitude and insure that we had control of the aircraft while trying to assess whether ejection out of the aircraft may be necessary. As soon as altitude was gained and it was fully established we were flying the aircraft, it would be put on a heading for home. We would continue to assess the aircraft systems and determine if any immediate action or NATOPS checklists needed to be accomplished. We would also consider where we would land if we had to prior to reaching Aviano. Declaring an emergency is not a priority, flying the aircraft is. NCIS (b)(6), (b)(7)(C) Priorities are Aviate, Navigate, and Communicate. We may need to talk to someone for assistance, thus declaring an emergency, or we may be too busy. When these things were completed, I would declare an emergency with Aviano or any ATC agency in the region we were in. It could take 3-5 or as

much as ten minutes to declare an emergency. The need to declare and emergency would increase as we got closer to Aviano. We would need priority to land and to make an arrested landing, as well as to insure avoidance of any other aircraft in the Aviano air space.

Regarding what happened out there to cause this mishap, it is hard to say. But I would say they were doing what we are trained to do without enough proficiency training to do it. By this I am just referring to the current low level restrictions for flying and the very limited amount of low level training we are allowed to accomplish. I think somehow they just got going on a downward trend gaining speed and experienced some spacial disorientation causing the mishap.

This statement, consisting of this page and four others was typed for me by Special Agent [redacted] as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is true and correct.

[redacted]

Date

Time

Sworn to and subscribed before me this 23rd day of April, 1998 at NCISRA Cherry Point, NC.

[redacted]

Special Agent, U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE  
AUTH: SECNAVINST 5520.3B OF 04JAN93

[redacted]

STATEMENT

PLACE: NCISRA Cherry Point, NC

DATE: 22APR98

I, NCIS (b)(6), (b)(7)(C), make the following free and voluntary statement to NCIS (b)(6), (b)(7)(C) whom I know to be a Special Agent of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the aircraft mishap involving my squadron while deployed to Aviano, Italy.

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If I were in an aircraft as ECMO1 which experienced an emergency situation like this, or of similar magnitude, the priority immediately would be to gain altitude and insure that we had control of the aircraft while trying to assess whether ~~punching out~~ of the aircraft may be necessary. As soon as altitude was gained and it was fully established we were flying the aircraft, it would be put on a heading for home. When these things were completed, I would declare an emergency with Aviano <sup>AVI. ATC</sup> and ~~tell them we would need an arrested landing~~. It would take no more than 3-5 minutes for an emergency to be declared.

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EJECTING  
WE WOULD THEN  
TIME TO ASSESS  
AVIATION SYSTEM  
DETERMINE IF ANY  
NEED THE ACTION OR  
IF LIST IS NEEDED  
BE ACCOMPLISHED  
WOULD ALSO CONSIDER  
WE WOULD LAND IF  
HARD TO PRIOR TO  
REACHING AVIANO

X DECLARING AN EMERGENCY IS NOT A PRIORITY. FLYING THE AIRCRAFT IS.  
X WE MAY NEED TO TALK TO SOMEONE FOR ASSISTANCE OR MAY BE TO  
BODY. X. PRIORITIES ARE AVIATION NAVIGATION COMMUNICATIONS.

- THE NEED TO DECLARE AN EMERGENCY WOULD INCREASE AS  
WE GOT CLOSER TO AVIANO. WE WOULD PRIORITY TO LAND & ARRIVE.  
WE NEED TO ENSURE AVOIDANCE OF ANY OTHER AIRCRAFT.

flying and the very limited amount of low level training we are allowed to accomplish. I think somehow they just got going on a downward trend gaining speed and experienced some spacial disorientation causing the mishap.

This statement, consisting of this page and four others was typed for me by Special Agent [REDACTED] NCIS (b)(6), (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is true and correct.

\_\_\_\_\_  
NCIS (b)(6), (b)(7)(C)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

Sworn to and subscribed before me this 22nd day of April, 1998 at NCISRA Cherry Point, NC.

\_\_\_\_\_  
NCIS (b)(6), (b)(7)(C)

Special Agent, U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE  
AUTH: SECNAVINST 5520.3B OF 04JAN93

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL  
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF 1STLT [REDACTED] NCIS (b)(6), (b)(7)(C)

On 16Apr98, 1stLt [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was deployed to Aviano with VMAQ-2 in a support role as a non-aviator, and went over on the advance party on 06Aug97. He said he also returned on the advance party arriving back at Cherry Point around 26Jan98. He said he returned with a number of squadron personnel including LtCol [REDACTED] NCIS (b)(6), (b)(7)(C) Major [REDACTED] NCIS (b)(6), (b)(7)(C) Captain [REDACTED] NCIS (b)(6), (b)(7)(C) Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

During his time in Aviano [REDACTED] NCIS (b)(6), (b)(7)(C) said he was billeted with [REDACTED] NCIS (b)(6), (b)(7)(C) and 1stLt [REDACTED] NCIS (b)(6), (b)(7)(C) said he never talked to any of the aviators about what they did and had no knowledge of any of them violating any rules and regulations relating to aviation. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was friendly with everyone in the squadron, but the only person he considered a good friend was Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

[REDACTED] NCIS (b)(6), (b)(7)(C) said he worked in S4 for the command in Aviano and dealt with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and Captain [REDACTED] NCIS (b)(6), (b)(7)(C) in these duties as they too were in S4. [REDACTED] NCIS (b)(6), (b)(7)(C) said he had very high opinions of [REDACTED] NCIS (b)(6), (b)(7)(C) but did not deal nearly as much with [REDACTED] NCIS (b)(6), (b)(7)(C) could not quote specifics, but said there were rumors that [REDACTED] NCIS (b)(6), (b)(7)(C) was not really carrying his weight in duties not related to flying.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he had never heard anything about anyone in the squadron doing things unsafe or unauthorized, and said he had never heard of any type of "under the wire club".

[REDACTED] NCIS (b)(6), (b)(7)(C) said he thought a lot of LtCol [REDACTED] NCIS (b)(6), (b)(7)(C) the commanding officer (CO) of the unit, but did not have daily contact with him. He said his direct boss was the executive officer (XO), LtCol [REDACTED] NCIS (b)(6), (b)(7)(C) whom he dealt with on a daily basis and who he considered a very good officer.

When he learned of the mishap in Italy, he said he was discussing it with his current XO, Major [REDACTED] NCIS (b)(6), (b)(7)(C) who was previously the S4 officer for VMAQ2 up until about four months prior to their deployment. He said they were trying to figure out who might be involved and who was still in Aviano. [REDACTED] NCIS (b)(6), (b)(7)(C) said Major [REDACTED] NCIS (b)(6), (b)(7)(C) made not comments to him about his suspicions, but said due to the

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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PROCESS

CCN: 15APR98-0023-0036-7HMS

difference in their ranks [REDACTED] would likely not make any comments  
like this. [REDACTED] opined [REDACTED] was a very straight forward person  
who is a straight shooter and would tell what he knows if asked.

## BIOGRAPHICAL DATA

EMPLOYMENT: 1stLt, USMC, MWSS 274, MCAS Cherry Point, NC

SSAN [REDACTED]

DOB: NCIS (b)(6), (b)(7)(C)

POB: [REDACTED]

REPORTED BY: [REDACTED]  
OFFICE: NCISFO Carolinas  
DATE TYPED: 20APR98

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INTERVIEW OF CAPTAIN [REDACTED] NCIS (b)(6), (b)(7)(C)

On 17Apr98, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at the NCIS office at MCAS Cherry Point, NC regarding his knowledge of specific information relative to this investigation and general background and procedural information relative to his squadron. Captain [REDACTED] NCIS (b)(6), (b)(7)(C) is an Electronic Countermeasures Officer with VMAQ-2, and has secondary jobs within the command as the Air Crew Training Officer and along with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) a schedule writer.

[REDACTED] NCIS (b)(6), (b)(7)(C) indicated he joined VMAQ-2 during Mar96 and immediately deployed to Aviano, Italy with the unit from Mar-Sep96. During the most recent deployment to Aviano [REDACTED] NCIS (b)(6), (b)(7)(C) indicated he flew in the back seat on three low level training missions, one on route AV005, and two on route AV047, the mishap route. During the earlier deployment [REDACTED] NCIS (b)(6), (b)(7)(C) said he had flown route AV047 once as ECMO1, and once or twice additionally in the back seat as ECMO2 or ECMO3.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he had not attended flight school or any other MOS related training with any of the mishap crew. He said he had flown a number of times with all the mishap crew in various ECMO positions except Captain [REDACTED] NCIS (b)(6), (b)(7)(C) who he had never flown with.

[REDACTED] NCIS (b)(6), (b)(7)(C) was unable to say specifically if he had flown any low level training missions with the other members of the mishap crew.

[REDACTED] NCIS (b)(6), (b)(7)(C) was asked to explain what things he would do if planning a low level training mission and did so. [REDACTED] NCIS (b)(6), (b)(7)(C) said he would pull an existing route chart, and would update it with a Chart Update Manual (CHUM). He said he would work out the fuel planning for the flight either manually or via a TEAMS program. He said in Aviano he would consult an Air Force Pilots Guide, which would be the rough equivalent of an AP1B if in the U.S. to get all the restrictions like noise restriction areas. [REDACTED] NCIS (b)(6), (b)(7)(C) said it is normally the pilot or ECMO1 who would actually brief the flight.

Regarding the use of knee board cards [REDACTED] NCIS (b)(6), (b)(7)(C) said most people use them for fuel planning, and they normally contain information on altitudes, headings, distances, and divert information. [REDACTED] NCIS (b)(6), (b)(7)(C) said if he saw the altitude of 2000 ft AGL on the card it would mean nothing to him. [REDACTED] NCIS (b)(6), (b)(7)(C) went on to say that if someone else made the card he would not use it anyway.

[REDACTED] NCIS (b)(6), (b)(7)(C) was asked what speed low level training missions are normally planned and flown at and he indicated 420 knots is a normal speed for this type of missions. When asked what he thought about the alleged speed of the mishap aircraft through the valley where the mishap occurred [REDACTED] NCIS (b)(6), (b)(7)(C) stated, "I don't think it is unsafe to fly through that valley at 550 knots, but I probably would not do it. He went on to say, "If it felt and looked fast to

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: I/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

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me I would say something like let's slow it down a little bit."

NCIS (b)(6), (b)(7)(C) was asked if it was possible for the aircraft to just pick up speed in straight and level flight from 420 knots to a speed of 550 knots without a conscious effort to attain this speed, and he said this was not possible.

NCIS (b)(6), (b)(7)(C) was asked what the term "cross-compartment" meant to him as related to aviation, and he said he was unfamiliar with the term.

NCIS (b)(6), (b)(7)(C) said he would take it to mean scanning his instruments and cross checking this with the pilots information.

NCIS (b)(6), (b)(7)(C) described Lt Col NCIS (b)(6), (b)(7)(C) as a great commanding officer (CO). He said he was very "hands-on" and a micro manager. He said the CO had his hands into everything and knew exactly what was going on in the squadron at all times. NCIS (b)(6), (b)(7)(C) said the executive officer (XO) was also an excellent officer who was a great guy and a good man who implemented all the CO's policies. NCIS (b)(6), (b)(7)(C) described Major NCIS (b)(6), (b)(7)(C) the operations officer (OPSO), as the guy who wrote the book on Prowler (EA6B) operations. He said NCIS (b)(6), (b)(7)(C) had an incredible memory and was literally writing the book (T&R manuals) on this aircraft.

NCIS (b)(6), (b)(7)(C) said he considered Major NCIS (b)(6), (b)(7)(C) the best pilot overall in the squadron, but said he considered Captain NCIS (b)(6), (b)(7)(C) towards the top, and said he had great hands and was a "natural". NCIS (b)(6), (b)(7)(C) said he considered all the pilots in the squadron as very good pilots.

NCIS (b)(6), (b)(7)(C) said he had never witnessed or heard anything about Captain being a "cowboy" or "flat-hatting/hot-dogging". He said NCIS (b)(6), (b)(7)(C) was a very nice guy who he never had any problems with. NCIS (b)(6), (b)(7)(C) said he had never felt unsafe with NCIS (b)(6), (b)(7)(C) anyone. He said he had never been in an aircraft where anything was intentionally done that could be considered unsafe or against policy. NCIS (b)(6), (b)(7)(C) said he considered Captain NCIS (b)(6), (b)(7)(C) probably the best ECMO in the squadron.

NCIS (b)(6), (b)(7)(C) said he did not recall being at an all officers meeting (AOM) when Captain NCIS (b)(6), (b)(7)(C) held up the DG binder and talked about new information about flight operations.

NCIS (b)(6), (b)(7)(C) said he has spoken to all of the mishap crew at times since the mishap, but he was on advance party back at Cherry Point when the mishap occurred so he did not speak with them until they had returned to Cherry Point. He said none of the mishap crew had discussed specific of the mishap. NCIS (b)(6), (b)(7)(C) said he had asked specific questions about the mishap because he wanted to know how they got into the problems and how they recovered. NCIS (b)(6), (b)(7)(C) said from day one they have said they could not talk to anyone about it.

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