

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

PLACE: AVIANO AIR BASE
AVIANO, ITALY
DATE: 01MAY98

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 EA-6B mishap occurring on 03FEB98.

For purpose of identification, I am NCIS (b)(6), (b)(7)(C) inches tall, weighing approximately NCIS (b)(6), (b)(7)(C) lbs. My social security number is NCIS (b)(6), (b)(7)(C) and I was born on NCIS (b)(6), (b)(7)(C).

On 01MAY98, I was asked a series of questions by Special Agent NCIS (b)(6), (b)(7)(C) regarding my knowledge of the EA-6B mishap. The first question asked of me was if I was aware of a "Cable Car Club" among the VMAQ-2 or VMAQ-4 community and if I had any information regarding this club or persons affiliated with it. I indicated that I had not heard of a "Cable Car Club" and had no information regarding one. I was also asked if I could identify persons who had access to the cockpit of the EA-6B mishap aircraft immediately after it's landing. I indicated that I had a conversation with Sgt NCIS (b)(6), (b)(7)(C) USMC, VMAQ-2, who had told me he had gone into the cockpit of the EA-6B mishap aircraft immediately after it landed. NCIS (b)(6), (b)(7)(C) indicated to me he had taken out the Electronic Counter Measure tapes from the aft cockpit of the EA-6B mishap aircraft shortly after it landed at Aviano Air Base, Aviano, IT. I believe NCIS (b)(6), (b)(7)(C) indicated he may have given those tapes to SGT NCIS (b)(6), (b)(7)(C) USMC, VMAQ-2. During my conversation with NCIS (b)(6), (b)(7)(C) he also told me Captain NCIS (b)(6), (b)(7)(C) the pilot of the EA-6B mishap aircraft, shortly after it had landed, had told someone to telephone someone else to find out if anyone was hurt. I do not recall if NCIS (b)(6), (b)(7)(C) told me specifically who NCIS (b)(6), (b)(7)(C) wanted called. I have no other information as to who may have gone into the cockpit immediately after the mishap aircraft landed on 03FEB98.

NCIS (b)(6), (b)(7)(C) also asked if I had any information regarding the LtCol NCIS (b)(6), (b)(7)(C) tape or know anyone who may have information. The only information I have regarding this tape is what I have seen on television and nothing more. I was asked if I had any information regarding the videotaping of the mishap flight and indicated I did not have any information. I was asked if I had any knowledge of any low level flights where altitude restrictions were not adhered to and indicated I did not have any information. I was also asked if I knew of any existing videotapes, similar to the LtCol NCIS (b)(6), (b)(7)(C)

EXHIBIT 123

Continuation of statement by
Sgt., USMC on 01 MAY 98

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

NCIS (b)(6), (b)(7)(C) tape and related I did not. I was asked if I had any information regarding low level flights that was not covered and indicated I had no information concerning low level flights. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Some time in MAR98, the Commanding Officer (CO) of VMAQ-4 had a formation for a ceremony for promotions or some other purpose, and subsequent to this event, Capt NCIS (b)(6), (b)(7)(C) USMC, addressed the crew. I was present during this time. Capt NCIS (b)(6), (b)(7)(C) indicated to us that though we had seen various reports on television regarding the EA-6B mishap. Capt NCIS (b)(6), (b)(7)(C) stated the truth will eventually come out at the end. Capt NCIS (b)(6), (b)(7)(C) told us not to get into a "pissing" contest with Italians and reiterated that the truth would eventually come out and that all the world would eventually know the truth. Capt NCIS (b)(6), (b)(7)(C) also stated during his address to the squadron, that it was difficult to maintain the aircraft at the appropriate ground level given the difference in the terrain. Capt NCIS (b)(6), (b)(7)(C) referred to flying over mountain peaks and being at five hundred (500) feet above ground level and then coming upon a valley and being three thousand (3000) feet above ground level. I cannot recall anything else Capt NCIS (b)(6), (b)(7)(C) stated during this address to the squadron. I have not talked personally with Capt NCIS (b)(6), (b)(7)(C) subsequent to the mishap flight of 03 FEB 98. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) This statement, consisting of this page and one other was typed for me by Special Agent 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)

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

date: 2 May 98 time: 1112

Sworn to and subscribed before me this 02 day of May, 1998 at Aviano Air Base, Aviano, IT.

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

02 MAY 98 / 1112

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 AVIANO
MISHAP JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: TIMELINE OF REPORTED LOW-LEVEL COMPLAINTS TO 31ST FIGHTER WING

On 01MAY98, reporting agent compiled all known complaints to the USAF 31st Fighter Wing of military aircraft conducting unauthorized low-level flights. Reports of these complaints were furnished to reporting agent as the result of interviews conducted by NCIS Special Agent NCIS (b)(6), (b)(7)(C) and NCIS Intelligence Operations Specialist NCIS (b)(6), (b)(7)(C) of Italian Air Force Captain NCIS (b)(6), (b)(7)(C) Officer in Charge of the Air Traffic Department at Aviano Air Base, and USAF LCOL NCIS (b)(6), (b)(7)(C) Commander of the 31st Fighter Wing Operations Support Squadron. Additional information was provided by NCIS (b)(6), (b)(7)(C) USMC, NLSO Trial Services Office, Camp Lejeune, North Carolina. The dates of the USMC VMAQ squadron deployments have also been added to the timeline for reference. These dates were provided by LCOL NCIS (b)(6), (b)(7)(C) Commanding Officer, VMAQ-4.

AUG95-FEB/MAR 96	VMAQ-1 Deployment to Aviano AFB
MAR96-AUG96	VMAQ-2 Deployment to Aviano AFB
MAR/APR 96	Overflight complaint from Serra Mazzone, Modena, Italy. 31 st Fighter Wing responded that all F-16s were flying routes AV045, AV031, AV020.
07JUN96	Overflight complaint from Monte Cassiano, Italy. 31 st OG/CC determined that there were no aircraft in the area.
17JUN96	Overflight complaint from Belluno, Italy. Complaint identified possible F-16s. 31 st OG/CC investigation revealed no misconduct.
23JUL96	Overflight complaint from Udine, Italy. 31 st OG/CC determined that there were no aircraft in the area.
26JUL96	Overflight complaint from Novellara, Italy. Complaint identified two F-16's. 31 st OG/CC reported that plane 2 drifted off course.
AUG96-FEB97	VMAQ-4 Deployment to Aviano AFB

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20AUG96 Overflight complaint from Folgaria, Trento. Complaint filed by a vacationing Alitalia pilot. Two USMC EA-6Bs were conducting a low level flight over low level route AV047 that morning. CAPT [REDACTED] (b)(6), (b)(7)(C) was one of the USMC pilots (with [REDACTED] (b)(6), (b)(7)(C)). The second aircraft was identified as CAPT [REDACTED] (b)(6), (b)(7)(C).

13SEP96 Overflight complaint from Matelica, Ancona, Italy. 31st OG/CC determined that there were no aircraft in the area.

13SEP96 Overflight complaint from Rocca Vignale, Savona, Italy. 31st OG/CC determined that there were no aircraft in the area.

15NOV96 Overflight complaint from of Susegana (TV). No 31st OSS action taken.

FEB97-AUG97 VMAQ-3 Deployment to Aviano AFB

17JUN97 Overflight complaint from Torbole, Italy. (Located on the northern tip of Lago di Garda.) There were both USAF and USMC aircraft identified as possibly being involved. There was an EA-6B flying low level route AVO47BD listed as a possible noise violator. CAPT [REDACTED] (b)(6), (b)(7)(C) was the EA-6B pilot in question. Possible low level routes: AV044BD, AV045BD, and AV047BD. All flights were determined to be within regulations.

18JUL97 Overflight complaint from Villanova di Motta di Livenza (TV). 31st OG/CC determined that all Italian directives were properly followed. Possible low level route was AVO49BD. USAF assets were identified as the possible violators.

AUG97-FEB98 VMAQ-2 Deployment to Aviano AFB

28AUG97 Overflight complaint from Arzene (east of Aviano). Investigation determined that aircraft was not from Aviano.

29AUG97 31st Fighter Wing promulgates Flight Crew Information File (FCIF) 97-16 which prohibits flight below 2000 feet AGL over the Trentino Alto Adige Region. USAF LCOL [REDACTED] (b)(6), (b)(7)(C) Commander 31st Fighter Wing Operations Support Squadron, signed the FCIF on 29AUG97 for USAF Colonel [REDACTED] (b)(6), (b)(7)(C) Commander 31st Fighter Wing Operations Group.

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25SEP97 Overflight complaint from Citta della Pieve (PG). Identified as possible F-16's. 31 OG/CC response was that there were no aircraft near subject location.

03NOV97 Complaint of possible UFO over Trieste. Investigation determined no aircraft in subject area.

FEB98-AUG98 VMAQ-4 Deployment to Aviano AFB

03FEB98 USMC EA-6B aircraft piloted by CAPT (b)(6), (b)(7)(C) strikes a gondola cable in the vicinity of Cavalese, Trento, Italy. Estimated height of cable (according to the USMC JAGMAN into the accident) struck by the aircraft piloted by CAPT (b)(6), (b)(7)(C) was under 400 feet.

03FEB98 Overflight complaint from Palermo, Sicily. 31st OG/CC responded that there were no aircraft in the area.

**24FEB98/
25FEB98** Local area complaints about Aviano flights. 31 OG/CC determined there was no evidence that of aircraft operating outside of normal procedures. Flights were reportedly over Sedrano and San Martino.

Reporting Agent: NCIS (b)(6), (b)(7)(C)
Office: NCIS Naples, Italy

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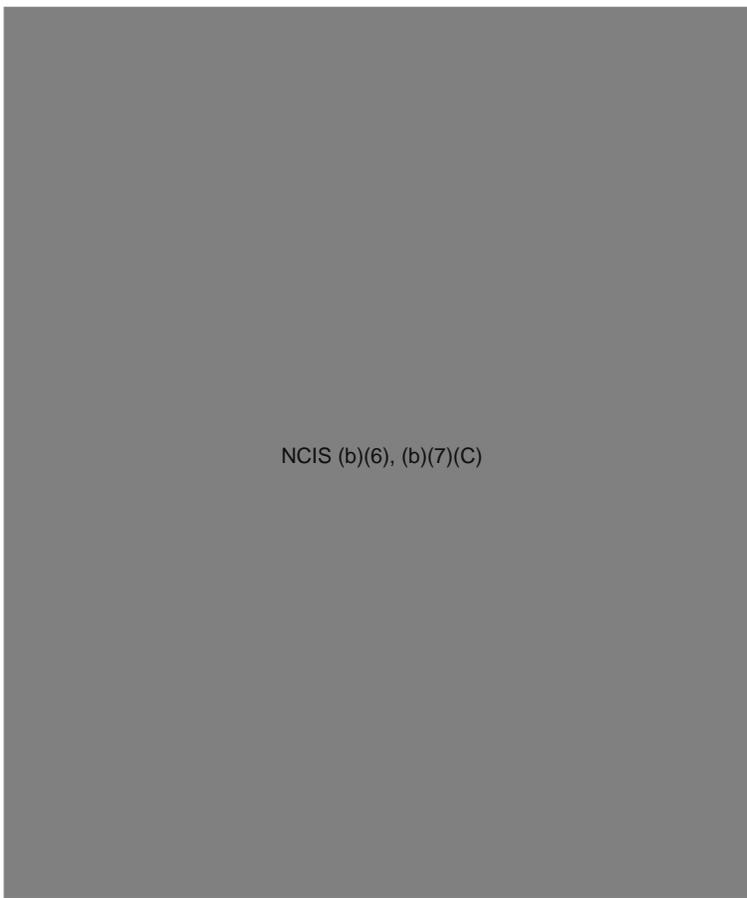
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: RESULTS OF SCENING INTERVIEWS –
VMAQ-4 MAINTENANCE PERSONNEL

On 01MAY98 the below listed VMAQ-4 maintenance personnel were interviewed by Intelligence Operations Specialists [REDACTED] NCIS (b)(6), (b)(7)(C) at Aviano AB, Italy regarding the EA-6B mishap flight on 03FEB98.



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

All interviewees denied any knowledge regarding a "Cable Car Club" or having information pertaining to flying under cable car systems in northern Italy. Interviewees could provide no information pertaining to who had access to the EA-6B cockpit after landing on 03FEB98. No information regarding violations of flight altitude restrictions or knowledge of any existing video tapes similar to Lt [REDACTED] NCIS (b)(6), (b)(7)(C) video tape surfaced during the interviews.

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The interviewees had no information pertaining to the possible existence of a video recording made during the mishap flight.

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)
OFFICE: NCISFO EUROPE
DATE TYPED: 01MAY98

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PROCESS

CCN: 15APR98-0023-0036-7HMS

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

On 01MAY98, LCOL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, was interviewed by reporting agent at the VMAQ-4 spaces at USAF Aviano, Italy. [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed concerning comments that were allegedly made by CAPT [REDACTED] NCIS (b)(6), (b)(7)(C), USMC, following a meeting of VMAQ-4 personnel while in a Hardened Aircraft Shelter (HAS) aboard USAF Aviano. As background, [REDACTED] NCIS (b)(6), (b)(7)(C) allegedly made the comments approximately two (2) weeks after the VMAQ-2 mishap, which occurred on 03FEB98.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated that he was unaware that [REDACTED] NCIS (b)(6), (b)(7)(C) had addressed VMAQ-4 personnel and had no knowledge concerning the incident. [REDACTED] NCIS (b)(6), (b)(7)(C) added when he [REDACTED] NCIS (b)(6), (b)(7)(C) addresses VMAQ-4 personnel at the HAS, he normally departs after speaking and turns the proceedings over to either the VMAQ-4 Executive Officer or Sergeant Major. As such, it is possible that [REDACTED] NCIS (b)(6), (b)(7)(C) could have addressed the VMAQ-4 personnel in his absence.

BIOGRAPHICAL DATA

EMPLOYMENT: VMAQ-4 Commanding Officer

SSAN [REDACTED]

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

POB: [REDACTED]

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)
OFFICE: NCIS Naples, Italy
DATE TYPED: 01MAY98

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EXHIBIT (126)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: Interview of Sgt. [REDACTED] USMC

On 01 May 98, Sgt. [REDACTED] USMC, was interviewed by reporting agent aboard Aviano Air Base, Aviano, Italy. Reporting agent identified himself verbally and by displaying his credentials. [REDACTED] was interviewed concerning any knowledge he may have had concerning the aircraft mishap involving an EA-6B Prowler jet and a cable car.

[REDACTED] currently assigned to Marine Aviation Logistics Squadron fourteen (MALS 14). The function of this command is to support VMAQ-4 [REDACTED] arrived in Aviano with the VMAQ-4 and MALS 14 advance team, between 27-29 Jan 98. Both VMAQ-4 and MALS 14 are in Aviano on a six-month deployment.

[REDACTED] recalls the day of the incident in question. He stated he was watching a movie at the base theatre with friends. He first heard of the mishap when he and his friends returned to their living quarters after the movie.

[REDACTED] has never had any contact with the mishap aircrew, and has never personally seen the mishap aircraft. [REDACTED] knew of no personnel who had access of any kind to the mishap aircraft. He also was not aware of any flight altitude restrictions.

Upon being questioned [REDACTED] stated he had never heard of the term, "cable car club", nor has any personal knowledge of rites of passage gone through by pilots. [REDACTED] stated he "stays away from officers" whenever possible. [REDACTED] also had not seen, nor had any personal knowledge of the [REDACTED] video tape shown on television.

[REDACTED] provided no further information.

BIOGRAPHICAL DATA

SSN: [REDACTED]
DOB: [REDACTED]
POB: [REDACTED]
Security clearance: none

Reporting agent: [REDACTED]
Office: NCISFO Naples, Italy

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: RESULTS OF INTERVIEW (MSGT (b)(6), (b)(7)(C))

On 01MAY98, MSGT (b)(6), (b)(7)(C) USAF, was interviewed by reporting agent at the Flight Line Security Office, USAF Aviano, Italy. NCIS (b)(6), (b)(7)(C) was interviewed concerning his involvement in providing security to the VMAQ-2 EA-6B "Prowler" following the 03FEB98 mishap in Cavalese, Italy, which resulted in the deaths of twenty (20) multi-national civilians.

As background, NCIS (b)(6), (b)(7)(C) was the day shift Security Flight Line Sergeant on the day of the mishap (03FEB98). NCIS (b)(6), (b)(7)(C) stated that mishap aircraft reported an In Flight Emergency (IFE) as he was leaving work that day and that he did not have any involvement with the aircraft until the following day.

When NCIS (b)(6), (b)(7)(C) reported to work on 04FEB98, at approximately 05:00, he was notified that the Security Department was providing security for the mishap aircraft that was being maintained in hanger #2. NCIS (b)(6), (b)(7)(C) proceeded to hanger #2, at approximately 06:00, to insure that security personnel were posted on the aircraft. According to NCIS (b)(6), (b)(7)(C) the aircraft was contained in the closed hanger and surrounded by a perimeter rope and orange traffic cones.

Posted at the rear of the aircraft was Senior Airman (SRA) NCIS (b)(6), (b)(7)(C). NCIS (b)(6), (b)(7)(C) USAF NCIS (b)(6), (b)(7)(C) thought that LCPL NCIS (b)(6), (b)(7)(C) USMC, was posted at the front of the aircraft along with two (2) Carabinieri (Italian Military Police) Officers. NCIS (b)(6), (b)(7)(C) thought that LCP NCIS (b)(6), (b)(7)(C) USMC, served as temporary relief throughout the day.

NCIS (b)(6), (b)(7)(C) stated that at approximately 06:15-06:30, USAF General NCIS (b)(6), (b)(7)(C) came to the hanger and gave an order that no one was to get near, touch, or photograph the aircraft. NCIS (b)(6), (b)(7)(C) added that although employees that worked in hanger #2 were allowed access to their administrative offices, none of them could stop to look at the aircraft.

NCIS (b)(6), (b)(7)(C) remained in the hanger from approximately 06:00 to 07:00. NCIS (b)(6), (b)(7)(C) stated that either he or 1ST LT NCIS (b)(6), (b)(7)(C) periodically checked on the aircraft's security status throughout the day shift. NCIS (b)(6), (b)(7)(C) stated that he see anyone go near or enter the aircraft's cockpit areas.

NCIS (b)(6), (b)(7)(C) stated that he got off work at approximately 14:00-14:30 that afternoon (04FEB98). According to NCIS (b)(6), (b)(7)(C) the aircraft was

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moved to a Hardened Aircraft Shelter (HAS) later that night and he
has not seen it since.

BIOGRAPHICAL DATA

EMPLOYMENT: Security Flight Sergeant, USAF Aviano

SSAN: [REDACTED]

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

POB: [REDACTED]

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)
OFFICE: NCIS Naples, Italy
DATE TYPED: 05MAY98

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INVESTIGATIVE ACTION: RESULTS OF INTERVIEW (1ST LT [REDACTED] NCIS (b)(6), (b)(7)(C))

On 01MAY98, 1ST LT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, was interviewed by reporting agent at the Flight Line Security Office, USAF Aviano. [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed concerning security provided to the VMAQ-2 EA-6B "Prowler," following the 03FEB98 mishap in Cavalese, Italy, resulting in the deaths of twenty (20) multi-national civilians.

As background [REDACTED] NCIS (b)(6), (b)(7)(C) has been assigned to USAF Aviano since 20SEP97. [REDACTED] NCIS (b)(6), (b)(7)(C) projected rotation date from USAF Aviano is SEP2000. [REDACTED] NCIS (b)(6), (b)(7)(C) was working as the USAF Aviano Security Forces Element Leader on 04FEB98 during the 06:00-14:00 shift.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated that when he arrived at work on 04FEB98, he was instructed to provide security to a damaged EA-6B "Prowler" mishap aircraft that was housed in hanger #2. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that he periodically checked on the aircraft throughout the day. [REDACTED] NCIS (b)(6), (b)(7)(C) observed damage to the aircraft's right wing, right wing pod, and rear tail section.

According to [REDACTED] NCIS (b)(6), (b)(7)(C) the aircraft was encircled by a perimeter rope to prevent any unauthorized person(s) from approaching the aircraft. In addition, there was one (1) USAF security person (Senior Airman [REDACTED] NCIS (b)(6), (b)(7)(C)), one (1) USMC security person, and two (2) Italian Carabinieri (Italian Military Police) officers positioned at various points around the aircraft. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that the only people who could breach the rope's perimeter were those authorized by MJ [REDACTED] NCIS (b)(6), (b)(7)(C) (USMC), CON [REDACTED] NCIS (b)(6), (b)(7)(C) (USAF), or COL [REDACTED] NCIS (b)(6), (b)(7)(C) (Italian Air Force).

[REDACTED] NCIS (b)(6), (b)(7)(C) stated that the only people he observed near the aircraft were Carabinieri photographers. In addition, there were several VMAQ-2 personnel cleaning leaking fluids on the hanger floor beneath the aircraft. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that a USMC Major General accompanied by several distinguished visitors came to view the aircraft, but that they did not come in contact with the aircraft.

[REDACTED] NCIS (b)(6), (b)(7)(C) recalled that although the aircraft's canopies were closed, they may have been opened briefly to allow Carabinieri photographers to photograph the cockpit area(s). [REDACTED] NCIS (b)(6), (b)(7)(C) added, however, that the Carabinieri may have photographed the cockpit area(s) through the closed canopies.

[REDACTED] NCIS (b)(6), (b)(7)(C) concluded his shift at approximately 14:00 and was relieved by LT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that the mishap

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aircraft was moved from hanger #2 to a Hardened Aircraft Shelter #Z-1 sometime after 14:00 on 04FEB98 NCIS (b)(6), (b)(7)(C) stated that he had no involvement in the transfer.

BIOGRAPHICAL DATA

EMPLOYMENT: Security Forces Element Leader, USAF Aviano

SSAN [REDACTED]

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

POB: [REDACTED]

REPORTED BY: [REDACTED] NCIS (b)(6), (b)(7)(C)
OFFICE: NCIS Naples, Italy
DATE TYPED: 05MAY98

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CCN: 15APR98-0023-0036-7HMS

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

On 01MAY98, TSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, was interviewed by reporting agent at the Flight Line Security Office, USAF Aviano, Italy. [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed concerning his involvement in providing security to the VMAQ-2 EA-6B "Prowler" following the 03FEB98 mishap in Cavalese, Italy, which resulted in the deaths of twenty (20) multi-national civilians.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated that he was on duty and in the Central Security Control (CSC) center at approximately 15:15, when the mishap aircraft reported an In Flight Emergency (IFE). As it was the end of his shift, [REDACTED] NCIS (b)(6), (b)(7)(C) departed work before the IFE was complete. [REDACTED] NCIS (b)(6), (b)(7)(C) had no involvement in the IFE or with the mishap aircraft on 03FEB98.

[REDACTED] NCIS (b)(6), (b)(7)(C) reported for work the following day (04FEB98) at approximately 05:00-05:15. Subsequent to his arrival, [REDACTED] NCIS (b)(6), (b)(7)(C) was informed that the security department was providing security to a damaged mishap aircraft in hanger #2. [REDACTED] NCIS (b)(6), (b)(7)(C) had heard from other people and from listening to CNN news that the mishap had resulted in fatalities.

[REDACTED] NCIS (b)(6), (b)(7)(C) identified the security personnel assigned to the mishap aircraft that day as Senior Airman (SRA) [REDACTED] NCIS (b)(6), (b)(7)(C) (USAF), CPL [REDACTED] NCIS (b)(6), (b)(7)(C) (USMC), and LCPL [REDACTED] NCIS (b)(6), (b)(7)(C) (USMC), who temporarily relieved CPL [REDACTED] NCIS (b)(6), (b)(7)(C) for lunch. In addition, there were two (2) Carabinieri (Italian Military Police) Officers in hanger #2 with the aircraft.

[REDACTED] NCIS (b)(6), (b)(7)(C) proceeded to hanger #2 at approximately 07:10-07:15. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that the hanger was closed and that the mishap aircraft's perimeter was surrounded by a rope and orange traffic cones. According to [REDACTED] NCIS (b)(6), (b)(7)(C) SRA [REDACTED] NCIS (b)(6), (b)(7)(C) was positioned at the rear of the aircraft and CPL [REDACTED] NCIS (b)(6), (b)(7)(C) was positioned at the front of the aircraft. [REDACTED] NCIS (b)(6), (b)(7)(C) instructed SRA [REDACTED] NCIS (b)(6), (b)(7)(C) and CPL [REDACTED] NCIS (b)(6), (b)(7)(C) that no one was to breach the aircraft's perimeter. In addition, nobody was allowed entry into the hanger unless authorized by CO [REDACTED] NCIS (b)(6), (b)(7)(C) (USAF).

[REDACTED] NCIS (b)(6), (b)(7)(C) departed hanger #2 at approximately 07:30 and did not return for the remainder of the day. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that he did not see anyone breach the mishap aircraft's perimeter while he was in hanger #2. According to [REDACTED] NCIS (b)(6), (b)(7)(C) the mishap aircraft was moved

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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

from hanger #2 to Hardened Aircraft Shelter (HAS) #Z-1 later that evening. NCIS (b)(6), (b)(7)(C) did not participate in the aircraft's transfer.

BIOGRAPHICAL DATA

EMPLOYMENT: Asst Flight Line Security Sergeant, USAF Aviano

SSAN

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

POB:

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

OFFICE: NCIS Naples, Italy

DATE TYPED: 07MAY98

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: ATTEMPTS TO INTERVIEW CAPTAIN

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

On 01-02May98, several unsuccessful attempts were made to interview a member of VMAQ-4, Captain NCIS (b)(6), (b)(7)(C) USMC. On 30Feb98, an appointment was set up to interview Captain NCIS (b)(6), (b)(7)(C) with the Executive Officer (XO) of VMAQ-4, Major NCIS (b)(6), (b)(7)(C) USMC. The appointment was set for 1400 on 01May98. Reporting agent proceeded to the VMAQ-4 ready room at the time of appointment. Reporting agent was told at that time that Captain NCIS (b)(6), (b)(7)(C) was just coming off the flight line, and would be available in 15 minutes time. After said time period had passed, reporting agent was told that NCIS (b)(6), (b)(7)(C) was busy with unspecified aircraft tests, and was not available.

After speaking with the squadron XO, it was learned that NCIS (b)(6), (b)(7)(C) was scheduled to fly to Cherry Point, NC, on 03May98 for the Article 32 hearing on Captain NCIS (b)(6), (b)(7)(C) a member of the mishap flight crew. Reporting agent set an appointment for approximately 1630 later that day (01May98) for NCIS (b)(6), (b)(7)(C) interview. After discussing this with the Commanding Officer of the squadron, LCOL NCIS (b)(6), (b)(7)(C) USMC, the squadron XO suggested that an interview appointment of 1000 the following day, 02May, would be more suitable for NCIS (b)(6), (b)(7)(C). NCIS (b)(6), (b)(7)(C) needed to attend an unspecified function during the evening of 01May. This was agreed to.

On 02May, after NCIS (b)(6), (b)(7)(C) failed to meet his interview appointment, command was queried concerning his whereabouts. The CO advised that NCIS (b)(6), (b)(7)(C) had left earlier that morning for his flight to Cherry Point. This was done without informing reporting agent of the schedule change NCIS (b)(6), (b)(7)(C) part. NCIS (b)(6), (b)(7)(C) date of return to Aviano is unknown.

Reporting Agent: NCIS (b)(6), (b)(7)(C)

Office: NCISFO Naples, Italy

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

I have reviewed the JAGMAN investigation and the copies of the technical reports are contained within the 600 Series documents and the first of these is marked "613" at the top right corner of the page; documents relating to the identification of the bodies are also contained within this section, along with documents relating to the burial of the victims; The copies of the death scene photographs were reproduced at the Aviano AFB photo lab and I am aware that ~~NCIS (b)(6), (b)(7)(C)~~ copies that were provided to the JAGMAN Board and that he was going to provide to the Trial Counsel Team through the NCIS Field Office in Camp Lejeune. I am also aware that ~~NCIS (b)(6), (b)(7)(C)~~ custody of the video tapes and that copies were made for the JAGMAN Board and again were to be provided to the Trial Counsel Team.

I have read and understand this statement, consisting of this and one other page. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief.

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

Subscribed and sworn to before me this 02

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

11/27/93

AUTHORITY:
SECNAVINST 5520.3B OF 04Jan93

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Pages 895 through 896 redacted for the following reasons:

Contact Italian Prosecutors Office to obtain

Statement

PLACE: Aviano AFB, Italy
DATE: 02 MAY, 1998

I, CPL [redacted] USMC, make the following free and voluntary statement to [redacted], whom I know to be a Special Agent of the 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 events and/or circumstances involving the 03FEB98 incident near Cavalese, Italy, in which twenty civilian skiers died after their cabled gondola crashed to the ground. [redacted]

For purposes of identification, I am a [redacted] female, [redacted] years old, born in [redacted]. I have [redacted] hair and [redacted] eyes. My SSN# is [redacted] and I presently am assigned to Maintenance Admin, Q-4 (DSN PHONE [redacted]) and my rate is E-4 in the United States Marine Corps. I have no security clearance. [redacted]

[redacted] have been asked to recall a informal conversation with CAPT [redacted] in which I was allegedly present with other Marines, that reportedly occurred after the mishap flight. The fact is I have no recollection of such a conversation and to my knowledge I have never heard Captain [redacted] speak of the incident at all. I was part of the advance party from VMAQ-4 and was in my work section that day. Before the plane landed, the first thing I heard was from CPD [redacted] the armorer, who advised us that they thought a Prowler had lost a pod and he was rounding up bodies to do a search for it. Before we actually left, [redacted] told us we did not have to go. I still at this point knew nothing more. I learned several hours later that the plane had cut a cable and then even later that night that people had died from the incident. [redacted]

I have read the preceding one page statement prepared for me at my request by Special Agent [redacted] from information that I provided. I have been allowed to make any necessary changes that I see fit. This statement is true to the best of my knowledge and belief. [redacted]

[redacted]
Date: 2 May 98 Time: 1421

Subscribed and sworn before me this 2nd day of May, 1998 at Aviano AFB, Italy.

[redacted] 02 May 98
Special Agent, NCIS

AUTHORITY: SECNAVINST 5520.3B OF 04JAN93 Exhibit (133)

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Statement

PLACE: Aviano AFB, Italy
DATE: 02 MAY, 1998

NCIS (b)(6), (b)(7)(C) , Captain NCIS (b)(6), (b)(7)(C) , USMC, make the following free and voluntary statement to NCIS (b)(6), (b)(7)(C) , whom I know to be a Special Agent of the 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 events and/or circumstances involving the 03FEB98 incident near Cavalese, Italy, in which a USMC EA-6B Prowler was involved and twenty civilians died after their cabled gondola crashed to the ground. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) For purposes of identification, I am a NCIS (b)(6), (b)(7)(C) male, NCIS (b)(6), (b)(7)(C) years old, born in NCIS (b)(6), (b)(7)(C) I have NCIS (b)(6), (b)(7)(C) hair and NCIS (b)(6), (b)(7)(C) eyes. My SSN# is NCIS (b)(6), (b)(7)(C) and I presently am assigned to VMAQ-4 deployed here in Aviano and my rate is O-3 in the United States Marine Corps. I have a top secret security clearance and I am an ECMO. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) As an ECMO, I am familiar with Prowler operations. I know that on the aircraft we carry four tapes, two are recording tapes used to consecutively record flight data as the mission goes along, and the other two are the "load tapes." These load tapes are informational tapes used to provide data about the flight in progress. It is the responsibility of the backseat ECMO(s) to bring these four tapes to the aircraft, and likewise his (their) responsibility to maintain and utilize the tapes in flight accordingly. The place for these tapes on board the Prowler is between the backseats. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) was still in Cherry Point, NC when this incident occurred, arriving in Aviano on 13FEB98 with my unit. I had been in Aviano with VMAQ-4 during their last deployment in 1996 also. I know that Captains NCIS (b)(6), (b)(7)(C) were the crew of the EA-6B flight in question on 03FEB98. I know NCIS (b)(6), (b)(7)(C) fairly well, as he was ahead of me at school in Whidbey Island, WA. We also have had social contact since being in NC together. NCIS (b)(6), (b)(7)(C) is a friend and squadron mate. I know him fairly well. The others I don't know well at all, but when I arrived here I shared NCIS (b)(6), (b)(7)(C) chooch for awhile until he returned to the states, and got to know him as a room mate during that time. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) and I have never flown together, to the best of my memory. Certainly never in Italy. He is a nice guy but can be cocky. His reputation is such that he is unsure what he wants to do with his career. I know he has a snowboarding company, which I think may be in California, and that he and his unidentified partner manufacture the boards from what I understand. I am recently NCIS (b)(6), (b)(7)(C) and while dating NCIS (b)(6), (b)(7)(C) we attended some social functions at which NCIS (b)(6), (b)(7)(C) was present. I do not know any details or if in fact anything ever. NCIS (b)(6), (b)(7)(C)

EXHIBIT (134)

NCIS (b)(6), (b)(7)(C) happened, but NCIS (b)(6), (b)(7)(C) believes him to be "cocky and aggressive." I have no objection to her being interviewed if needed, and she is NCIS (b)(6), (b)(7)(C) employed as a secretary with Zautoun-Raines Century 21 Real Estate, New Bern, NC NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) know NCIS (b)(6), (b)(7)(C) pretty well and think very highly of him. He is known and respected as a very professional person, a great guy to be associated with, and his work reputation is "by the book." From what I know about this incident, the best explanation I can think of is that NCIS (b)(6), (b)(7)(C) was "hot dogging," but I don't know that to be true. From what I know about NCIS (b)(6), (b)(7)(C) though, I can't imagine him not having spoken up, as a backseater can usually tell when "hot dogging" is going on. It is also possible in my opinion, that if this was the case, NCIS (b)(6), (b)(7)(C) could very well have spoken up but his words were ignored NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) have heard from the media about a cable car club or something like that existing. I have no personal knowledge of that, nor any reason to believe it exists, nor can imagine it would, as such a thing would be incredibly dangerous and stupid. Particularly, within the Prowler community, you would have to have two or three others involved in the secrecy with the pilot and I can't imagine that happening. However, I am aware of VMAQ-2's reputation as an aggressive flying squadron. I recall that around AUG96 a pilot in Aviano, who's name I cannot recall, was flying a very low transition over the perimeter road around the base and that it was apparently witnessed by several USMC officers, possibly the Squadron CO himself. I recall the CO grounded that pilot for the duration of his deployment and removed him from the squadron after the deployment, either to MWSS 271 or 274 at Cherry Point, I think. He is still there. I recall that it was stated that if he had his tail hook down, it would have taken the perimeter fence down because he was that low. I would roughly estimate the altitude at about twenty feet or so. I was not part of that flight crew and know no more particulars. COM NCIS (b)(6), (b)(7)(C) was the CO at the time as I recall NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) another example of their aggressive flying is concerning a story I heard from CAPT NCIS (b)(6), (b)(7)(C) USMC, still with VMAQ-2. He told me that a Prowler deployed here once flew at a low level over the SAM sight called the "Polygone site" near Ramstein AFB and Trier in Germany. An individual taping the flight with a camcorder on the ground was actually blown over by the back blast from the Prowler. I do not know who piloted this plane, or who the crew was. I know I passed this story on in "shop talk." I have no knowledge of any low levels flown over ski resorts or of any stories in which skiers were seen from the aircraft falling over looking up at low level aircraft, or anything like that at all. It is possible someone may have confused the story at the Polygon site with this, but I never mentioned it because I knew nothing about it. This story was consistent with the types of "bragging rights" stories that was fairly common in the Prowler community NCIS (b)(6), (b)(7)(C)

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

I ski, but had never heard of Cermis until this investigation. Many aviators ski also, but I am unaware if any from VMAQ-2 or VMAQ-4 have ever heard of Cermis or skied there. NCIS (b)(6), (b)(7)(C)

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

heard about the NCIS (b)(6), (b)(7)(C) after I arrived in Italy, as word was he passed the word to destroy such tapes. This was the first I knew of that tape. I am also unaware of any tapes made of the mishap flight and do not know if any of the crew even have a camcorder, much less used one on the flight. I have heard nothing at all to that effect. I do know that filming from the Prowler is common, and I have done so myself as a backseater. This was done while in training on a carrier and frankly the taping is boring, as from the backseat window it just shows the world going by. I have never known a front seater to hand hold or mount a camcorder at any time. NCIS (b)(6), (b)(7)(C)

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

and I shared the hooch in tent city, I got to know him a little bit. One evening around late FEB98 after the NCIS (b)(6), (b)(7)(C) tape got released, he and I were in the hooch and it was the first time he and I ever discussed the mishap. NCIS (b)(6), (b)(7)(C) mentioned that it was a good thing he didn't take any pictures of the flight. I asked him if he had a camera with him and he said yes, but that he did not take any pictures. He told me "they seized" the camera after the landing and confirmed he had not taken any pictures when they developed the film. He told me the camera, with out the film, had been returned to him.

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

He told me he was grateful he did not use the camera. I did not ask why but assumed it was because photographs would have been incriminating. This assumption was based on his tone and the overall nature of the conversation. Before NCIS (b)(6), (b)(7)(C) shipped out, we had this discussion again, but also during those subsequent discussions I learned from him that they were flying low and felt a bump, but at that initial time he thought it had been turbulence. He said NCIS (b)(6), (b)(7)(C) first realized the damage to the wing and football, and when he did so, he made the crew aware of it and NCIS (b)(6), (b)(7)(C) was able to see it too. He said based on the "slicing" nature of the damage, which I have never seen, they concluded in flight they had hit a cable. He never said to me that they hit a gondola cable. After seeing the damage and sizing up their flying ability, NCIS (b)(6), (b)(7)(C) said he prepared to eject. The crew declared the emergency and headed to Aviano. He said at the last minute before landing, NCIS (b)(6), (b)(7)(C) told them he was having serious trouble controlling the aircraft and that he NCIS (b)(6), (b)(7)(C) felt he was not going to make it. Nonetheless, the Prowler landed safely and during egress, NCIS (b)(6), (b)(7)(C) jumped from the plane, breaking his ankle in the process. NCIS (b)(6), (b)(7)(C)

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

After I initially spoke with NCIS (b)(6), (b)(7)(C) on late FEB98, I happened upon a conversation at the Hawk one evening in which NCIS (b)(6), (b)(7)(C) was speaking with Captains NCIS (b)(6), (b)(7)(C) and that I joined in. The conversation was already ongoing and NCIS (b)(6), (b)(7)(C) was discussing limited information about the incident. What I heard him say when asked what it was like when you hit the cable, "Scary." He added that when he saw the damage to the wing and football he did not think they would NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) take it back. He also said, as has NCIS (b)(6), (b)(7)(C) earlier, that based on their initial assessment of the slashes, they thought they had hit a cable. At that time, NCIS (b)(6), (b)(7)(C) never mentioned the gondola. I would estimate that in total, there were one or two more times we had a similar discussion, but no additional information was learned from NCIS (b)(6), (b)(7)(C) and at no time did he and I ever discuss this issue alone, I mean, it was always in the presence of one or more of those named above.
NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) never spoke with NCIS (b)(6), (b)(7)(C) about the mishap, nor did I or anyone else I know ever confronted any of the aircrew for answers. I think we were all curious but respected their privacy and their requests not to discuss details, apparently on the advice of their attorneys. In general though, I was angry over the whole thing because in my opinion, none seemed to show any remorse. Perhaps that was just my perspective, but it seemed they were all more concerned over "what's going to happen to me" than about the people that had died and their families.
NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Regarding NCIS (b)(6), (b)(7)(C) as stated earlier, his flying reputation is pretty good, albeit he is known as an "aggressive pilot." I can't provide details or specifics, but what I mean by aggressive is that he pushes the aircraft to it's limit, for example, banking turns at 135 degrees, maxing out speeds, and so forth. I know several Captains in my squadron, who went through training in NCIS (b)(6), (b)(7)(C) class, share this opinion of him and probably know him better than I do. They are NCIS (b)(6), (b)(7)(C) I also know from hearsay that NCIS (b)(6), (b)(7)(C) lives in California, and that they have a NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) I cannot recall who it was that told me that. I do know that he lives with a NCIS (b)(6), (b)(7)(C) in Atlantic Beach, NC, and that I have been there and seen so for myself. He also had a NCIS (b)(6), (b)(7)(C) and she was an American base employee, but I don't know her name. She is a short brunette and spent a lot of time with NCIS (b)(6), (b)(7)(C) his hooch after the mishap. I heard she was pretty upset with him when he left for NC without saying good bye.
NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I have read the preceding 4 page statement prepared for me at my request by Special Agent NCIS (b)(6), (b)(7)(C) from information that I provided. I have been allowed to make any necessary changes that I see fit. This statement is true to the best of my knowledge and belief.
NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C)
Date: 10/10/98 Time: 1010 L

Subscribed and sworn before me this 2nd day of May, 1998 at Aviano AFB, Italy.
NCIS (b)(6), (b)(7)(C) 02 May 98
Special Agent, NCIS

AUTHORITY: SECNAVINST 5520.3B OF 04JAN93

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

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

On 02MAY98, [REDACTED] NCIS (b)(6), (b)(7)(C) LCPL USMC, was interviewed by Intelligence Operations Specialist [REDACTED] NCIS (b)(6), (b)(7)(C) at Aviano AB, Italy for information pertaining to an alleged informal briefing given by Capt [REDACTED] NCIS (b)(6), (b)(7)(C) regarding the Cavalese, Italy mishap flight.

As background, [REDACTED] NCIS (b)(6), (b)(7)(C) is an ordinance technician assigned to the Q-4 advance squadron at Aviano, Italy. [REDACTED] NCIS (b)(6), (b)(7)(C) was identified by [REDACTED] NCIS (b)(6), (b)(7)(C) as being present with a group of Q-4 maintenance personnel when Capt [REDACTED] NCIS (b)(6), (b)(7)(C) spoke informally regarding the mishap.

[REDACTED] NCIS (b)(6), (b)(7)(C) recalled attending a mandatory "formation" called by the Q-4 squadron CO to discuss the mishap flight. This formation was held in front of the Hardened Aircraft Shelter 47. [REDACTED] NCIS (b)(6), (b)(7)(C) related that the formation was conducted in a question and answer session format as the Squadron commander wanted to quell "gossip" circulating within the squadron.

[REDACTED] NCIS (b)(6), (b)(7)(C) remembered that questions pertained mostly to Capt [REDACTED] NCIS (b)(6), (b)(7)(C) future plans. He added that Capt [REDACTED] NCIS (b)(6), (b)(7)(C) also addressed the squadron at this time. Capt [REDACTED] NCIS (b)(6), (b)(7)(C) disclosed that the EA-6B was on a routine mission and that they were not doing anything out of the normal. Capt [REDACTED] NCIS (b)(6), (b)(7)(C) told the squadron formation that he was on the right course and did nothing wrong. [REDACTED] NCIS (b)(6), (b)(7)(C) stated this was the only occasion he spoke with Capt [REDACTED] NCIS (b)(6), (b)(7)(C) regarding the mishap flight.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated that the only other briefing he received regarding the mishap flight was on 03FEB98. [REDACTED] NCIS (b)(6), (b)(7)(C) recalled that once the EA-6B landed, he went to Area 1 of Aviano AB. Upon his return, he was briefed by GYSGT [REDACTED] NCIS (b)(6), (b)(7)(C) who reported that the mishap aircraft collided with a cable car system and that the news was already on CNN and the Internet.

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NCIS (b)(6), (b)(7)(C) recalled that NCIS (b)(6), (b)(7)(C) had no further details regarding the mishap and instructed him not to telephone home until further notice .

REPORTED BY: NCIS (b)(6), (b)(7)(C)
OFFICE: NCISFO Europe
DATE: 02MAY98

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: REINTERVIEW OF Q-4 PERSONNEL
IDENTIFIED AS BEING AT AN INFORMAL BRIEFING BY CAPT.

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

On 02MAY98 the below listed VMAQ-4 maintenance personnel were interviewed by Intelligence Operations Specialists [redacted] NCIS (b)(6), (b)(7)(C) at Aviano AB, Italy regarding an alleged informal briefing given by Capt. [redacted] NCIS (b)(6), (b)(7)(C) subsequent to the EA-6B mishap flight.

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

All interviewees denied any knowledge regarding an informal meeting with Capt. [redacted] NCIS (b)(6), (b)(7)(C). Interviewees saw Capt. [redacted] NCIS (b)(6), (b)(7)(C) either at the dining hall, working out at the gym or in passing, however, none engaged in conversations regarding the mishap flight.

One other individual identified as possibly having information regarding an informal meeting with Capt. [redacted] NCIS (b)(6), (b)(7)(C) could not be interviewed due his 10MAR98 transfer to NMITC Dam Neck, VA.

REPORTED BY: [redacted] NCIS (b)(6), (b)(7)(C)
OFFICE: NCISFO EUROPE
DATE TYPED: 04MAY98

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INVESTIGATIVE SERVICE.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

DATE: 04May98

PLACE: Aviano, Italy

NCIS (b)(6), (b)(7)(C) Major NCIS (b)(6), (b)(7)(C) USMC, 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, without any threats made to me or promises extended. I fully understand this statement is given concerning my knowledge of a mishap involving an EA-6B aircraft and a cable NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) For identification purposes, I am NCIS (b)(6), (b)(7)(C), born on NCIS (b)(6), (b)(7)(C) I have a Top Secret security clearance. My social security number is NCIS (b)(6), (b)(7)(C) I am assigned to VMAQ-4, currently on deployment in Aviano Air Base, Aviano, Italy. I arrived in Aviano on 12Feb98. I was also in Aviano during our last deployment, approximately September 1996 to February 1997. I am an Electronic Counter Measures Officer (ECMO) for the EA-6B aircraft NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I was not at Aviano yet when the Prowler mishap occurred. I personally know Captains NCIS (b)(6), (b)(7)(C) I was roommates with Capt NCIS (b)(6), (b)(7)(C) from approximately 12Feb98 until he left for Cherry Point, NC, in early March 98. We shared the same living quarters in "tent city" on base. Neither Captains NCIS (b)(6), (b)(7)(C) spoke much to me about the mishap. I was given no details concerning the mishap. I believe that one of the mishap aircrew stated that they had seen a gondola either just prior or immediately following impact with the cable, but I don't know who stated this NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I recall a maintenance formation when Capt NCIS (b)(6), (b)(7)(C) spoke to the maintenance department. This must have taken place a few weeks after the mishap. The formation took place in front of the Hardened Aircraft Shelter (HAS), on base. I recall that Capt. NCIS (b)(6), (b)(7)(C) stated they were on an authorized low level flight. They briefed it in accordance with everything they knew at the time. At no time did they intend to go lower than authorized. The message that Capt NCIS (b)(6), (b)(7)(C) wanted to get through to the maintenance crew was that they weren't "flat-hatting" when the mishap occurred NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I have been asked about low-level flight altitudes. As far as I know, our low-level flights had a 1000 foot above ground level (AGL) altitude restriction prior to the gondola mishap. Any low level flight below 1000 feet was in violation of this restriction. I know it, and my squadron knows it. I personally know the Aircraft Maintenance Officer and Operations Officer of VMAQ-2, and I know they would not condone flights below a restricted altitude. This altitude restriction was as a result of the VMAQ-1 Prowler mishap where the aircrew was killed. I believe the mishap aircraft in that case was conducting Low Altitude Tactics Training (LATTC) NCIS (b)(6), (b)(7)(C)

EXHIBIT 137

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NCIS (b)(6), (b)(7)(C) As an ECMO, I know that co-pilot duties and responsibilities during low level flight are more visual, "outside the cockpit", rather than inside the cockpit. The aircrew on a low level flight are more visually-oriented rather than instrument-oriented. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I recall a low-level flight in the back seat over the local mountain ranges on one occasion during my last deployment in Aviano. Along the route, there were Italian villages and ski resorts. We never flew close enough to actually see ski resort cable cars. We generally try to avoid ski resorts if possible. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I have never flown with Captain [redacted] NCIS (b)(6), (b)(7)(C) and NCIS (b)(6), (b)(7)(C) have flown with Captain [redacted] NCIS (b)(6), (b)(7)(C) several times during a six-month period from Feb-Jun96. I have flown with Captain [redacted] NCIS (b)(6), (b)(7)(C) numerous times for about 15 month period, which included last deployment. I do not know of any noise complaints made against any of our flights. I witnessed no "flat-hatting" during those times. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I have also been asked about the "cable car club". I have never heard mention of this, nor have I ever witnessed rites of passage done by our aircrew. NCIS (b)(6), (b)(7)(C)

I have read and understand this statement, consisting of this and one additional page, typed for me by Mr. [redacted] NCIS (b)(6), (b)(7)(C) from information we discussed. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief.

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

1127(L)
AM:RY/1998

Subscribed and sworn to before me this 4th day of May 1998 in Aviano, Italy.

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

04 May 98
1128(C)

AUTHORITY:
SECNAVINST 5520.3B OF 04Jan93

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

DATE: 04May98

PLACE: Aviano, Italy

NCIS (b)(6), (b)(7)(C) Cpl. NCIS (b)(6), (b)(7)(C), USMC, 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, without any threats made to me or promises extended. I fully understand this statement is given concerning my knowledge of a mishap involving an EA-6B Prowler aircraft and a cable NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) For identification purposes, I am NCIS (b)(6), (b)(7)(C), born on NCIS (b)(6), (b)(7)(C) My social security number is NCIS (b)(6), (b)(7)(C) I have a Secret security clearance. I am currently assigned to VMAQ-4, on deployment in Aviano, Italy. I have been in the Marine Corps for over three years. Two and a half of those years have been with VMAQ-4. I am on the administrative staff of the squadron NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I arrived in Aviano with the VMAQ-4 advance party. Capt. NCIS (b)(6), (b)(7)(C) was also on the advance team, with me on the flight over to Aviano. I recall when the mishap occurred. I did not know that Capt. NCIS (b)(6), (b)(7)(C) had been on that flight until later NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I worked for Capt. NCIS (b)(6), (b)(7)(C) probably a month before the mishap. He was one of the officers in charge of me. I remember Capt. NCIS (b)(6), (b)(7)(C) used to go skiing a lot, and I even went once with him. We went to the Ciavetta ski resort together. I don't recall if Capt. NCIS (b)(6), (b)(7)(C) ever mentioned the Cavalese ski resort NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I never asked Capt. NCIS (b)(6), (b)(7)(C) about the accident, as I did not want to bring up a sensitive subject. I do recall that after the mishap, he always seemed down, and depressed. In contrast, I used see the pilot of the aircraft, Capt. NCIS (b)(6), (b)(7)(C) walking around the grounds. He never seemed down, and acted as if nothing had happened. He seemed like a callous person, and acted as if he didn't care that so many people were killed as a result of the mishap NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Capt. NCIS (b)(6), (b)(7)(C) was liked in the squadron, but Capt. NCIS (b)(6), (b)(7)(C) was not. I think he had a reputation of being arrogant, and uncaring. I worked in the squadron mail room at that time, and I always saw Capt. NCIS (b)(6), (b)(7)(C) come in for their mail. Though Capt. NCIS (b)(6), (b)(7)(C) seemed to me to be a bit concerned by the mishap, you could never tell there was even a mishap with Capt. NCIS (b)(6), (b)(7)(C) He just acted so cold about the whole thing and seemed cheery most of the time that I saw him after the mishap NCIS (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NCIS (b)(6), (b)(7)(C) Now one time, I took a call for Captain NCIS (b)(6), (b)(7)(C) the mail room. It was NCIS (b)(6), (b)(7)(C) calling. I called the Captain in, and he went in the back of the room to talk to her. Although I didn't hear the conversation, I'm pretty sure he was talking to her all about the mishap. Capt. NCIS (b)(6), (b)(7)(C) spoke a long time with NCIS (b)(6), (b)(7)(C) although I don't know exactly how long NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) remember when Captain NCIS (b)(6), (b)(7)(C) was talking informally to a group of Marines. This took place 1-2 weeks after the mishap. I walked out of my office, and passed by the area where the Heads are. I saw Capt. NCIS (b)(6), (b)(7)(C) talking to about six Marines. I didn't want to stop and listen, so I kept on going. As I passed by, I heard Captain NCIS (b)(6), (b)(7)(C) say, "the press is blowing this all out of proportion..." so I knew he was talking about the mishap. I didn't want to stop and listen, because I didn't want to seem to be intruding. Later on, someone told me that Captain NCIS (b)(6), (b)(7)(C) had talked all about the mishap to those Marines. I don't remember who told me this. I'm pretty sure the Marines who were listening were all enlisted, and were part of VMAQ NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) have been shown a list of VMAQ-4 advance party members by Special Agent NCIS (b)(6), (b)(7)(C) From the best of my recollection, I may have seen the following people at that informal meeting, although I am not sure of this: Cpl. NCIS (b)(6), (b)(7)(C) Cpl. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) know that Captain NCIS (b)(6), (b)(7)(C) had a NCIS (b)(6), (b)(7)(C) that he went to see in London during our last deployment out here, in 1996. I don't know the NCIS (b)(6), (b)(7)(C) name, but a Sgt. NCIS (b)(6), (b)(7)(C) of our squadron may know, because I think NCIS (b)(6), (b)(7)(C) took the same train ride to London that Capt. NCIS (b)(6), (b)(7)(C) took to see his NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) have read and understand this statement, consisting of this and one additional page, typed for me by NCIS (b)(6), (b)(7)(C) from information we discussed. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief NCIS (b)(6), (b)(7)(C)

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

4 May 98 12:58 pm

Subscribed and sworn to before me this 4th day of May 1998 in Aviano, Italy.

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

4 May 98 12:58 pm

Authority: SECNAVINST 5520.3B OF 04Jan93

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT: Capt. [REDACTED] NCIS (b)(6), (b)(7)(C)

DATE: 04MAY98

PLACE: 31st FW, Aviano AFB

I, [REDACTED] NCIS (b)(6), (b)(7)(C) Capt. USAF, make the following free and voluntary statement to whom I know to be an Agent of the United States Naval Criminal Investigative Service. I make this statement of my own free will, without any threats made to me or promises extended. I fully understand this statement is given concerning low level noise complaints.

For identification purposes I am [REDACTED] NCIS (b)(6), (b)(7)(C) born on [REDACTED] NCIS (b)(6), (b)(7)(C) I stand [REDACTED] NCIS (b)(6), (b)(7)(C) and have [REDACTED] NCIS (b)(6), (b)(7)(C) eyes. My social security number is [REDACTED] NCIS (b)(6), (b)(7)(C) I am presently the Office-in-Charge of Wing Scheduling at the 31st FW, Aviano AFB in Italy. I have been in this position since 17OCT96.

One of my responsibilities includes the investigation of "official" noise complaints forwarded to the 31st FW from the Italian Air Force. I understand that the Public Affairs office handles "unofficial" noise complaints called in by civilian Italian nationals. The standard procedure that I follow upon receipt of a complaint is to research flights flown on the specified date to determine if any could have possibly generated from Aviano. I utilize four documents for this investigative phase. They are:

1. A "PVG" (Italian acronym) document which is our request for authorization to the Italian Air Force for training and operational flights from Aviano.
2. DGOC – Deliberate Guard Operations Center report which is a synopsis of real world and training flights and schedules from Aviano AFB.
3. ASMIX – Italian document which is the Italian Air Force's response to our PVG request. Authorization and approval for all flights out of Aviano.
4. Squadron Verticals – Fighter squadron (both the 510th and the 555th) weekly requests for training and Deliberate Guard flights.

Once I identify a possible flight mission from Aviano AFB matching the complaint, I query the pilots or the Duty Officer if pilots are unavailable and gather information regarding the flight. If there is a match, the squadron commander will provide a written response either acknowledging or denying the noise complaint. All information is briefed to the Operations Group Commander and a formal response is signed out by the Operations Group Commander. I have received approximately six official noise complaints since reporting to this command.

EXHIBIT (139)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

I conducted an extensive investigation regarding a noise complaint on 17JUN97 which allegedly occurred over the Torbole, Trento area. It was complicated because there were three low-level flights over that area on that date. VMAQ-3 Commander Lt Col [redacted] NCIS (b)(6), (b)(7)(C) responded to my inquiry indicating that Marine Corps training rules and restrictions for EA-6B's dictate that low-level flights will not be conducted below the 1000 feet AGL. [redacted] NCIS (b)(6), (b)(7)(C) copies of this inquiry which he obtained during a prior interview with Lt Col [redacted] NCIS (b)(6), (b)(7)(C)

I have no knowledge as to what actually happened on this low-level flight, however, I think they were flying lower than the allowable limits. This is merely speculation on my part. I speak with pilots frequently and they tell me they enjoy stretching the limits to get a more effective training mission. A former F-16 pilot told me that he enjoyed low-level flying over Lake Garda and he alluded to the fact that he would fly lower than the specified limit. It is difficult to work with the Italians to get them to stretch their own rules. As an example, pilots would have permission to fly one route in a specific air space. Many of these air spaces are small so once a pilot returns to Aviano air space, they speak to the USAF air controllers to negotiate more fly time than what was specified in the original flight plan. Pilots would never do this in air space other than Aviano or deviate from the original flight plan.

There is an Italian manual in my office entitled S.O.P.- ADD 8, dated SEP1990 which specifies all low-level routes for this part of Italy. I have seen this book in other squadron offices, however, I am not sure if each squadron has a copy. The manual identifies flight altitudes and air speeds over the specified low-level flight.

There are no documents in my files that pertain to a 20AUG96 noise complaint over the Folgaria, Trento area. For that matter, there is only one noise complaint for 1996 in my file. There is an empty file marked "over flights" in my desk, however, it has been empty since my arrival at this command. Perhaps Capt. [redacted] NCIS (b)(6), (b)(7)(C) my predecessor would have additional information, however, I do not know where she is assigned now.

I have read and understand this statement, consisting of this and one other page. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief.

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

CH May 98

apt. USAF

Subscribed and sworn to before me this 4th day of May, 1998 at Aviano, Italy.

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

MAY 98

, NCIS

AUTHORITY:

SECNAVINST 5520.3B OF 04Jan93

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

DATE: 04MAY98

PLACE: Aviano AFB, Italy

I, [REDACTED] NCIS (b)(6), (b)(7)(C) TSGT USAF, make the following free and voluntary statement to [REDACTED] NCIS (b)(6), (b)(7)(C) whom I know to be an Agent of the United States Naval Criminal Investigative Service. I make this statement of my own free will, without any threats made to me or promises extended. I fully understand this statement is given concerning the EA-6B Prowler mishap flight of 03FEB98.

For identification purposes I was born on [REDACTED] NCIS (b)(6), (b)(7)(C). I stand [REDACTED] NCIS (b)(6), (b)(7)(C) tall, weigh [REDACTED] NCIS (b)(6), (b)(7)(C) lbs and have [REDACTED] NCIS (b)(6), (b)(7)(C) hair and [REDACTED] NCIS (b)(6), (b)(7)(C) eyes. My social security number is [REDACTED] NCIS (b)(6), (b)(7)(C). I am presently the Station Chief for shift B operations assigned to the Fire Department at Aviano, AFB, in Aviano, Italy.

On 03FEB98, upon receipt of an in flight emergency (IFE) call for an EA-6B, I prepared my P23 fire truck to assist the incoming aircraft. When the aircraft landed, it took approximately 950 feet of barrier #4. I went with my truck to the "Charlie" area, crossed the airfield and set up on the rescue side of the aircraft, which is the pilots left side. I was approximately 30-50 feet away at a 40-degree angle to the wing when the aircrew egressed. I did not notice anything in their hands when they egressed. I then got out of my truck to assist the rescue crew. There was a little delay in securing the aircraft because we had to wait for the EOD team to arrive. I backed the aircrew approximately 300 feet away from the aircraft because of the explosive charge on the pods. The aircrew told me and rescue crew personnel several times that they needed to return to the aircraft to retrieve their maps so they could report what they ran into and it's location. I told the rescue crew chief to tell the aircrew they could not return to their aircraft until it was determined to be safe. They seemed very intent on returning to the aircraft. I recall that USAF Security personnel assisted in cordoning off the aircraft. I don't recall specifically which member of the aircrew wanted to return to the aircraft and I could not identify them now after so much time has passed.

Once the aircraft was determined safe, I remember observing one of the aircrew return to the aircraft to get what they needed. The aircraft was still in position where it engaged the barrier, near the Bravo taxiway. I don't recall if this person went to the cockpit or back ECMO seats. I can't remember what he retrieved and I believe the crewmember was in the aircraft for a very brief period. I do not recall seeing a video camera, photographic camera or video tape cassette. I had no direct conversation with the aircrew

EXHIBIT (14)

Page 1 of [REDACTED] NCIS (b)(6), (b)(7)(C)
4 May 98

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

other than hearing them state that they needed to return to the aircraft. I am quite positive that the person who returned to the aircraft was a crewmember. I had no contact with the aircrew in the days following the mishap. Members of the rescue crew were SGT [redacted] SR [redacted] and SR [redacted] NCIS (b)(6), (b)(7)(C)

I have read and understand this statement, consisting of this and one other page. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief.

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

4 May 98

Subscribed and sworn to before me this 4th day of MAY, 1998 at Aviano AFB, Italy

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

04 MAY 98

Naval Criminal Investigative Service
Intelligence Operations Specialist

AUTHORITY:
SECNAVINST 5520.3B OF 04Jan93

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INVESTIGATIVE SERVICE

Statement

PLACE: Aviano AFB, Italy

DATE: 04 May, 1998

(b)(6), (b)(7)(C) I, SSGT [redacted] NCIS (b)(6), (b)(7)(C) USAF, make the following free and voluntary statement to [redacted] NCIS (b)(6), (b)(7)(C) whom I know to be a Special Agent of the 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 events and/or circumstances involving the 03FEB98 USMC Prowler incident near Cavalese, Italy, which resulted in the deaths of twenty civilians, after their cabled gondola crashed to the ground [redacted] NCIS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) For purposes of identification, I am [redacted] NCIS (b)(6), (b)(7)(C) years old, born in [redacted] NCIS (b)(6), (b)(7)(C) I have [redacted] NCIS (b)(6), (b)(7)(C) eyes. My SSN# is [redacted] NCIS (b)(6), (b)(7)(C) and I presently am assigned to the base fire department (DSN PHONE [redacted] NCIS (b)(6), (b)(7)(C) and my rate is E-5 in the United States Air Force. I have a secret security clearance [redacted] NCIS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) I was on duty on that particular day. I first heard of the in flight emergency (IFE) while in the fire station, over the PA. I responded immediately to the scene with whoever was on duty, and I was the rescue crew chief. I would estimate that between 11 and 16 fire personnel went out with me. I actually saw the landing from the fire truck at a rested position. After touchdown, we moved closer and I also saw the egress. The right side backseater jumped off the wing, apparently spraining his ankle. Very shortly after, a Marine Maintenance guy, a white male who I don't know, started up the ladder to the cockpit with a handful of the pins for the seats. I told him to stop and he did, and he never got into the cockpit but did have access to it by reaching it. After I briefly consulted via radio with Chief 2 (MSG [redacted] NCIS (b)(6), (b)(7)(C) I had him get down, which he did. I think he left the pins in the front of the cockpit, but he did not actually pin the seats [redacted] NCIS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Meanwhile, the crew went to the side of the runway. I approached them, having seen the damage and asked them "what exactly did you hit?" One of the crew responded that they thought they hit a tower, but they did not say anything more and I am not sure which crew member it was who spoke. About this time Wing Safety and many more people from Maintenance arrived and the area became rather hectic, but no one went to the cockpit, I am certain. About five to ten minutes later, the aircraft commander (A/C), or at least I am pretty sure it was that member of the crew, approached the aircraft and started to ascend the ladder to the cockpit. He got up one or two rungs, not enough to reach into the cockpit, when I shouted at him to stop. He did and asked me if he could go in the cockpit. I asked him why and he told me he needed to get his map so he could pinpoint where their hit had been. I relayed this request to MSG [redacted] NCIS (b)(6), (b)(7)(C) and was told "no," which I passed onto the A/C. He accepted it and returned to the rest of the crew [redacted] NCIS (b)(6), (b)(7)(C)

EXHIBIT (141)

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

A few minutes later he returned to me, along with a more senior Marine, a white male Major I think, and the two asked me to allow access to the aircraft. I told them no and after they persisted, and in fact were a little pushy about it, I referred them to Chief 2. They did go and speak to MSGT [redacted] and I saw them return to the crew spot afterwards. A few minutes later they were edging up toward the aircraft again, beyond the holding line, and I remember MSGT [redacted] two different occasions yell at me to have the Security Police stop them from getting closer to the aircraft. I did this, and the SP's did. I cannot tell you which SP's I spoke with, as there were so many present at this time. Around this time, EOD arrived and removed the carts from the pylons, rendering the aircraft safe. I also recall that somewhere in this time frame, SGT [redacted] from Flight Safety also spoke with the crew, as had MSGT [redacted] as stated above. I know of know one else who had direct contact with the crew. [redacted]

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

While the aircraft sat in the resting spot on the runway, no one else had any contact with the cockpit, including myself. It was then moved to Charlie taxiway, and I'd guess this was maybe 20 minutes or more after it landed. Once there, lots of Maintenance people were all about the aircraft, but the only thing I saw or believe entered the cockpit, were possibly more pins for the backseats. I saw nothing come out of the cockpit. At Charlie taxiway, I did see the A/C with his map, so I assume either he or someone must have retrieved it for him, but I never saw that take place. The rescue crew was released from the Charlie taxiway a short while later. The crew was still there when I left, and I never saw them leave and I never saw an ambulance arrive. I am not aware of any other rescue personnel contacting the crew directly. Also, after we were at Charlie a few of us were discussing the damage and wondered aloud if they hadn't hit a ski cable, but it was just talk. I had never heard any words to that effect from the crew, and in fact learned of the incident with the cable car later in the day, after we had left the scene. Further, I have had no additional contact with any of the crew, nor do I know anyone has [redacted]

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

I have read the preceding 2 page statement prepared for me at my request by Special Agent [redacted] from information that I provided. I have been allowed to make any necessary changes that I see fit. This statement is true to the best of my knowledge and belief. [redacted]

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

Date: 04 MAY 98 Time: 1240

subscribed and sworn before me this 4th day of May, 1998 at Aviano AFB, Italy.

[redacted] 04 May 98
Special Agent, NCIS

AUTHORITY: SECNAVINST 5520.3B OF 04JAN93

Statement

PLACE: Aviano AFB, Italy
Safety Office
DATE: 04 May, 1998

I, CPL [redacted] USMC, make the following free and voluntary statement to [redacted] whom I know to be a Special Agent of the 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 events and/or circumstances involving the 03FEB98 incident near Cavalese, Italy, in which twenty civilian skiers died after their cabled gondola crashed to the ground [redacted]

[redacted] for purposes of identification, I am [redacted] years old, born in [redacted] I have [redacted] hair and [redacted] eyes. My SSN# is [redacted] and I presently am assigned to the Maintenance Section, VMAQ-4 deployed in Aviano, Italy (DSN PHONEN[redacted]) and my rate is E-4 in the United States Marine Corps. I have a secret security clearance [redacted]

[redacted] 25 April, 1998, I made a sworn statement regarding this issue to Special Agent [redacted] Subsequent to that statement, I have been asked additional questions regarding the incident, particularly concerning information before the launching of the EA-6B on 03FEB98. Though I was with the VMAQ-4 advance party, I was not involved in the launching of the mishap flight. I have no knowledge regarding the launch or if it was delayed at all. I also have no knowledge as to any items being brought to or from the aircraft before the launch. Further, I previously spoke of CAPT [redacted] addressing a small group of us after the incident. Those present were GY [redacted] SGT [redacted]

[redacted] and myself. This occurred near the Mike loop, not near the HAS. I also recall him addressing the entire squadron but he did not speak of the details of the mishap, only assured us he was okay and that everything the crew did was correct, stating that they were within the altitude requirements and boundary limits. I have no recollection of [redacted] addressing me in any other small group at any time [redacted]

I have read the preceding one page statement prepared for me at my request by Special Agent [redacted] from information that I provided.

I have been allowed to make any necessary changes that I see fit. This statement is true to the best of my knowledge and belief. *MaS*

[redacted signature block]

Date: 04 May 98 Time: 0949

Subscribed and sworn before me this 4th day of May, 1998 at Aviano AFB, Italy.

[redacted] 04 May 98
Agent, NCIS

AUTHORITY: SECNAVINST 5520.3B OF 04JAN93

EXHIBIT (142)

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 INTERVIEW WITH CAPT [REDACTED] (b)(6), (b)(7)(C)
[REDACTED] (b)(6), (b)(7)(C)

On 04MAY98, Capt [REDACTED] (b)(6), (b)(7)(C) USAF, Chief of Public Affairs, Public Affairs Office (PAO), Aviano Air Base, Aviano, IT was interviewed by reporting agent regarding the EA-6B mishap occurring on 03FEB98. Reporting agent queried Capt [REDACTED] (b)(6), (b)(7)(C) regarding the process of documenting noise complaints made against U.S. (USMC) military aircraft during the MAR-SEP96 and AUG97-FEB98 timeframe.

Capt [REDACTED] (b)(6), (b)(7)(C) indicated when a caller contacts the Public Affairs Office for purpose of registering a noise complaint against an alleged military aircraft, the person receiving the call tries to collect the maximum amount of information regarding the incident from the person logging the complaint. Capt [REDACTED] (b)(6), (b)(7)(C) related the person receiving the call at PAO will identify the location of the incident, the type of aircraft the caller observed, and any other pertinent information the caller can provide concerning the aircraft. Capt [REDACTED] (b)(6), (b)(7)(C) indicated this noise complaint will then be forwarded to the Operations Group Commander (OGC), Co [REDACTED] (b)(6), (b)(7)(C) USAF, Aviano Air Base, Aviano, IT. Capt [REDACTED] (b)(6), (b)(7)(C) indicated if it is an Italian making a complaint, that individual has to go to the respective Carabinieri Command in their area and file an official complaint with same. The Carabinieri will then forward the complaint to the Italian Air Force.

According to [REDACTED] (b)(6), (b)(7)(C), when the complaint is at either the Italian Air Force or the Operations Group Commander, appropriate research is conducted to identify the flight utilizing the information provided by the caller and specifically the location and time the aircraft passed over. Once aircraft identification has been made, a letter will be forwarded to the appropriate military command informing them of the noise complaint.

During the interview, Capt [REDACTED] (b)(6), (b)(7)(C) also provided information concerning a noise complaint for a military aircraft flying over the Italian town of TORBOLE on 17JUN97. Within this packet of information (p. 3) is a letter from LtCol [REDACTED] (b)(6), (b)(7)(C) to the Commander, 31st Operations Support Squadron (OSS) dated 12AUG97, wherein [REDACTED] (b)(6), (b)(7)(C) states that "A VMAQ-2 aircraft did fly the route AVO47 low level on the date in question. However, Marine Corps training rules and restrictions for EA-6B's dictate that low-level flights will not be conducted below 1000 feet AGL", enclosure (1) pertains.

In addition, Capt [REDACTED] NCIS (b)(6), (b)(7)(C) provided a Public Affairs Office after action report/time-line, critiquing the Public Affairs Office's role in the EA-6B aircraft mishap. On page two (2) of the report there is information that an Interim Mishap Investigation Board was established on 03FEB98 at 2200 hours and was presided by the Interim Board president, 31ST Fighter Wing Vice Commander (Col [REDACTED] NCIS (b)(6), (b)(7)(C) USAF).

Agent's Note: With this timeline, there is an exact time (2200-03FEB98) as to when the Interim Mishap Board was established. Any information obtained from the flight crew prior to this time may not be considered privileged.

Enclosures

- (1) Photocopies of nineteen (19) pages of documentation-various, related to 17JUN97 noise complaint over TORBOLE, IT/various dates
- (2) Photocopies of six (6) pages of Public Affairs Office after action report related to EA-6B Aircraft Incident in Northern Italy/undated

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

Pages 918 through 942 redacted for the following reasons:

Enclosures (1 - 2) to Exhibit (143): Referred to the United States Air Force

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: CONTACT WITH UNITED STATES
SENDING STATE OFFICE (USSSO), AMEMBASSY ROME, ITALY.

ON 04MAY98, REPORTING AGENT MET WITH CAPT [REDACTED] (b)(6), (b)(7)(C)
[REDACTED] (b)(6), (b)(7)(C) USN, JAGC, OFFICER IN CHARGE, USSSO
AMEMBASSY ROME, ITALY. REPORTING AGENT EXECUTED A
SWORN AFFIDAVIT REGARDING THE RECEIPT OF TWENTY (20)
DEATH/BURIAL CERTIFICATES ISSUED BY THE ITALIAN
PROSECUTOR'S OFFICE OF TRENTO WHICH WERE SIGNED BY DR.
[REDACTED] (b)(6), (b)(7)(C), ASSISTANT STATE PROSECUTOR FOR
TRENTO, TWO VIDEO TAPES DEPICTING THE DEATH SCENE AND
PHOTOGRAPHS OF THE DEATH SCENE. REPORTING AGENT TOOK
CUSTODY OF THE ITEMS SUPRA FROM THE CARABINIERI
DURING THE WEEK OF 09FEB98. REPORTING AGENT SIGNED A CHAIN
OF CUSTODY RECEIPT FOR THE ITEMS SUPRA PREPARED BY
THE CARABINIERI OF AVIANO AIRBASE. ATTACHMENT (1)
PERTAINS.

ATTACHMENT

(1) COPY OF AFFIDAVIT EXECUTED BY SA [REDACTED] (b)(6), (b)(7)(C) DTD
04MAY98

REPORTING AGENT: [REDACTED] (b)(6), (b)(7)(C) SENIOR RESIDENT
AGENT

OFFICE: NCISRU ROME, ITALY

DATE: 04MAY98, ROME, ITALY

Page 944 redacted for the following reason:

Enclosure (1) to Exhibit (144): Contact United States Sending State Office (USSSO), Embassy Rome, Italy

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: CONTACT WITH UNITED STATES
SENDING STATE OFFICE (USSSO), AMEMBASSY ROME, ITALY.

ON 04MAY98, REPORTING AGENT MET WITH CAPT. NCIS (b)(6), (b)(7)(C)
NCIS (b)(6), (b)(7)(C) USN, JAGC, OFFICER IN CHARGE, USSSO
AMEMBASSY ROME, ITALY. CAPT. NCIS (b)(6), (b)(7)(C) EXECUTED A
LETTER OF GENUINENESS REGARDING THE TWENTY (20)
DEATH/BURIAL CERTIFICATES ISSUED BY THE ITALIAN
PROSECUTORS OFFICE OF TRENTO WHICH WERE SIGNED BY DR.
NCIS (b)(6), (b)(7)(C), ASSISTANT STATE PROSECUTOR FOR
TRENTO. ATTACHMENT (1) PERTAINS.

ATTACHMENT

(1) COPY OF LETTER FROM CAPT. NCIS (b)(6), (b)(7)(C) DTD 04MAY98

REPORTING AGENT: NCIS (b)(6), (b)(7)(C) SENIOR RESIDENT
AGENT

OFFICE: NCISRU ROME, ITALY

DATE: 04MAY98, ROME, ITALY

Page 946 redacted for the following reason:

Enclosure (1) to Exhibit (145): Contact United States Sending State Office (USSSO), Embassy Rome, Italy

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: Screening Interviews, Transalert Personnel

On 04 and 05 May, 1998, reporting agent interviewed the below identified personnel regarding captioned investigation. These individuals were on duty on 03FEB98 at Transalert, Building 920, Aviano AFB, Italy, and their unit responded to the runway after the EA-6B Prowler had landed. Noteworthy information from each is described below.

SSGT [REDACTED] NCIS (b)(6), (b)(7)(C), USAF, SSN [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C) advised he had just come on duty at 1530, 03FEB98, and did not participate in the activity, with the exception of watching some of his staff (NFI) assist in the relocation of the Prowler from the Charlie Taxiway to the Mike loop. Later that evening he assisted in the relocation of the Prowler to the HAS. At no time did he converse with anyone from the flight crew or speak to anyone with personal knowledge of the mishap.

A1C [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, SSN [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C) advised he knew of and watched the Prowler's landing from his shop adjacent to the runway. He was on duty but did not assist in the rescue of the landing. He was unable to provide identities, but stated that some personnel from his shop did attend to the rescue mission. [REDACTED] NCIS (b)(6), (b)(7)(C) is TDY to Aviano from Scott AFB, IL.

Senior Airman [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, SSN [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C) advised he was on duty on 03FEB98 and that he and Senior Airman [REDACTED] NCIS (b)(6), (b)(7)(C) were the only two personnel from Transalert that actually responded, ie, went to the runway to assist the landing if so needed. He stated they were notified of the in flight emergency (IFE) while the aircraft was airborne. From [REDACTED] NCIS (b)(6), (b)(7)(C) vantage point from the runway after the aircraft safely landed, he had a limited view of the cockpit but stated he had no knowledge of anyone accessing it after the crew egressed. [REDACTED] NCIS (b)(6), (b)(7)(C) advised neither he nor [REDACTED] NCIS (b)(6), (b)(7)(C) had any personal contact with the crew, nor any conversations with USMC personnel. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that while on the flight line he overheard unidentified Maintenance personnel state that the pilot had hit some powerlines. After the aircraft was removed from it's arrested location, [REDACTED] NCIS (b)(6), (b)(7)(C) stated he and [REDACTED] NCIS (b)(6), (b)(7)(C) remained and cleaned up the hydraulic fluid that had leaked from the damaged aircraft.

EXHIBIT (146)

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INVESTIGATIVE SERVICE.

INVESTIGATIVE ACTION: Screening Interviews, Transalert Personnel

Senior Airman [REDACTED] NCIS (b)(6), (b)(7)(C), USAF, SSN: [REDACTED] NCIS (b)(6), (b)(7)(C), [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed as he too had been identified by SSN [REDACTED] NCIS (b)(6), (b)(7)(C) possibly having assisted in the rescue operation. Upon discussing the nature of the incident with [REDACTED] NCIS (b)(6), (b)(7)(C) it was determined he was TDY to Nellis AFB, Nevada on 03FEB98 and subsequently had no knowledge of the incident.

Two additional personnel who were also on duty during the rescue from this shop are Senior Airman [REDACTED] NCIS (b)(6), (b)(7)(C) and Senior Airman [REDACTED] NCIS (b)(6), (b)(7)(C) USAF. [REDACTED] NCIS (b)(6), (b)(7)(C) is identified in [REDACTED] NCIS (b)(6), (b)(7)(C) information, supra, as having actually responded to the runway. Both are assigned to Aviano but are currently TDY to Zaragoza AFB, Spain, until around 15MAY98.

BIOGRAPHICAL DATA:

DUSTA: Transalert, Aviano AFB, Italy
WORK TELEPHONE: DSN: [REDACTED] NCIS (b)(6), (b)(7)(C)

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

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INVESTIGATIVE SERVICE.

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: Screening Interviews, EOD Personnel

On 04 May, 1998, reporting agent and participating agent interviewed the below identified personnel regarding captioned investigation. These individuals were on duty on 03FEB98 at Explosive Ordnance Disposal (EOD), Aviano AFB, Italy, and responded to the runway after the EA-6B Prowler had already landed. Noteworthy information from each is described below.

TSGT [REDACTED] NCIS (b)(6), (b)(7)(C), USAF, SSN [REDACTED] NCIS (b)(6), (b)(7)(C) advised he headed team of three EOD personnel (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) identified below) to runway response after the landing, after request for same by an unidentified MSGT from the fire department. He never approached aircraft closely as his two team members did so, and removed the "carts" from the pylon. He declared there were no EOD related threats after that function was complete and his team departed the scene. He had no contact with crew and is unaware of anyone who may have. He estimates they were at the scene approximately 15 minutes before departing. Recalled no one in or out of cockpit, but recalled Combat Camera or other authorized official photography was being conducted. NCIS (b)(6), (b)(7)(C)

SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, SSN [REDACTED] NCIS (b)(6), (b)(7)(C) advised he had no contact with the crew nor did he see them. Likewise unaware of anyone on scene who spoke with crew. Only Marine he spoke with was a junior enlisted (NFI) who assisted (b)(6), (b)(7)(C) and other EOD personnel in removing the cartridges from the pylon of the aircraft. No additional information regarding the scene. (b)(6), (b)(7)(C) state that Airman (b)(6), (b)(7)(C) also EOD, possibly along with Airman (b)(6), (b)(7)(C), had later told MOSS he had recently skied at Cermis, where (b)(6), (b)(7)(C) later learned this mishap occurred. NCIS (b)(6), (b)(7)(C)

A1C [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, SSN [REDACTED] NCIS (b)(6), (b)(7)(C) had no personal conversations with crew nor did he discuss the circumstances of the mishap with any Marine Corps personnel, and believes the air crew had already departed the scene when he arrived. Recalls overhearing (from an unidentified source) that they (the crew) had struck an antenna. Nothing further. NCIS (b)(6), (b)(7)(C)

PARTICIPATING AGENT

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

BIOGRAPHICAL DATA:

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

WORK TELEPHONE: DSN: [REDACTED] NCIS (b)(6), (b)(7)(C)

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

Office: NCISFO Naples, Italy

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EXHIBIT (47)

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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: RESULTS OF INTERVIEW (TSGT (b)(6), (b)(7)(C))

On 04MAY98, TSGT (b)(6), (b)(7)(C) USAF, was interviewed by reporting agent at the Flight Line Security Office, USAF Aviano, Italy. (b)(6), (b)(7)(C) was interviewed concerning his involvement in the recovery of the VMAQ-2 EA-6B "Prowler" following the 03FEB98 mishap in Cavalese, Italy, resulting in the deaths of twenty (20) multi-national civilians.

As background, (b)(6), (b)(7)(C) arrived at USAF Aviano on 06DEC97. (b)(6), (b)(7)(C) was working as the USAF Aviano Flight Line Security Sergeant during the 03FEB98 swing shift (13:30-21:30). Due to his recent arrival at USAF Aviano, (b)(6), (b)(7)(C) was working with TSGT (b)(6), (b)(7)(C) USAF.

(b)(6), (b)(7)(C) stated that at approximately 15:00-15:30 (03FEB98), he and (b)(6), (b)(7)(C) responded to an In Flight Emergency (IFE). According to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) positioned their vehicle at the "hold line", which is located approximately mid-field of the flight line near the Fire Department.

(b)(6), (b)(7)(C) stated that the mishap aircraft landed and engaged the runway arresting cable. After the mishap aircraft came to a stop, (b)(6), (b)(7)(C) followed the Fire Chief's vehicle to the mishap aircraft. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) stopped their vehicle near the aircraft's nose and observed the mishap aircrew quickly exiting the aircraft.

According to (b)(6), (b)(7)(C) the Fire Chief directed the security personnel to stop all vehicular traffic on the flight line perimeter. Upon doing so, (b)(6), (b)(7)(C) noticed extensive damage to the mishap aircraft's right wing and rear stabilizer. (b)(6), (b)(7)(C) stated that the aircrew stood on the runway for approximately fifteen (15) minutes before departing the area in a van. (b)(6), (b)(7)(C) stated that he had no contact with any of the aircrew. (b)(6), (b)(7)(C) did not overhear any comments made by the aircrew and knew of no security personnel who may have contacted or overheard comments made by the aircrew. (b)(6), (b)(7)(C) did not see anyone re-enter the cockpit after the aircrew had exited. In addition, (b)(6), (b)(7)(C) identified Colonel (b)(6), (b)(7)(C) (USAF) and Colonel (b)(6), (b)(7)(C) (USAF) as having both arrived on scene in separate vehicles.

(b)(6), (b)(7)(C) stated that after the IFE was terminated, between 15:30-16:30 (approx), the aircraft was towed from the runway to hanger #2. (b)(6), (b)(7)(C) was not present when the aircraft was moved as he was handling media representatives who had already begun to congregate at the gate.

At approximately 16:30-17:00, after the aircraft was secured in

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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

hanger #2 and cordoned off with a rope. NCIS (b)(6), (b)(7)(C) posted a security guard (USAF Airman NCIS (b)(6), (b)(7)(C)) on the hanger with the aircraft. In addition, there was a USMC security person and two (2) Italian Carabinieri Officers in the hanger with the mishap aircraft. NCIS (b)(6), (b)(7)(C) stated that the aircraft's canopies were closed and that he did not see anyone enter the aircraft's cockpit(s).

According to NCIS (b)(6), (b)(7)(C) the aircraft was moved the following evening (04FEB98), between approximately 19:30 and 20:00, from hanger #2 to the Hardened Aircraft Shelter (HAS) #Z-1. Although not present during the transfer, NCIS (b)(6), (b)(7)(C) identified LT NCIS (b)(6), (b)(7)(C) SS NCIS (b)(6), (b)(7)(C) and Airman NCIS (b)(6), (b)(7)(C) as having participated in the transfer.

BIOGRAPHICAL DATA

EMPLOYMENT: USAF Aviano, Flight Line Security Sergeant

SSAN: [REDACTED]

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

POB: [REDACTED]

REPORTED BY: NCIS (b)(6), (b)(7)(C)
OFFICE: NCIS Naples, Italy
DATE TYPED: 04MAY98

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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 1ST LT [REDACTED] (C)
[REDACTED] (C) USAF

On 04MAY98, reporting agent interviewed 1ST LT [REDACTED] (C) USAF, Aviano Air Base Security Force Flight Leader [REDACTED] (C) was the Security Force Duty Flight Leader when the mishap USMC EA-6B aircraft landed on 03FEB98.

[REDACTED] (C) initially learned of the mishap EA-6B around 1500 on 03FEB98 when he heard about an inflight emergency (IFE) from Central Security Control (CSC). [REDACTED] (C) stated that he was about to attend a meeting when he heard about the IFE so he assigned the responsibility of responding to the IFE to TSGT [REDACTED] (C) the Aviano Security Force duty shift sergeant [REDACTED] (C) added that IFEs are not unusual at Aviano Air Base and therefore responding to IFEs is generally assigned to whomever is available.

[REDACTED] (C) stated that he spoke with [REDACTED] (C) about the mishap USMC aircraft after it had been transferred to the Mike loop of the Aviano flightline. [REDACTED] (C) stated that [REDACTED] (C) had said that it looked like the mishap aircraft had hit something [REDACTED] (C) added that a short time later when the Italian Carabinieri asked to post soldiers at the scene of the aircraft, he knew that the situation was very serious.

[REDACTED] (C) stated that at about 1700 on 03FEB98 he went with Captain [REDACTED] (C) USAF, the Aviano Base Security Force Operations officer, to see the mishap aircraft at the Mike loop [REDACTED] (C) added that it was around this time that the Carabinieri and the Base Security personnel began discussing moving the aircraft to hangar #2 to provide more security to the mishap aircraft [REDACTED] (C) further stated that there were already two Carabinieri present at the mishap aircraft when he arrived.

[REDACTED] (C) stated that he believes the canopy of the mishap aircraft was open when he arrived at the Mike loop around 1700 [REDACTED] (C) further stated that he saw USMC maintenance personnel working on the aircraft, possibly preparing it to be towed to hangar #2 [REDACTED] (C) recalled one USMC maintenance person reaching into the cockpit area of the mishap aircraft, possibly preparing it to be towed [REDACTED] (C) stated that he did not see anything being removed from or placed inside of the cockpit of the mishap USMC aircraft.

[REDACTED] (C) stated that Base Security, the Italian Carabinieri, and the USMC maintenance personnel then formed a convoy and towed the mishap aircraft to hangar #2.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NCIS (b)(6), (b)(7)(C) added that there were a number of American and Italian personnel waiting at the hangar when they arrived with the mishap aircraft. NCIS (b)(6), (b)(7)(C) stated that NCIS (b)(6), (b)(7)(C) did the majority of the liaisoning for the Security Force and that NCIS (b)(6), (b)(7)(C) involvement at the hangar that night was to see that his Flight properly handled the security issues. NCIS (b)(6), (b)(7)(C) also added that while at hangar #2 on the night of 03FEB98, he spoke with a USMC maintenance crewman who stated that his chain of command had ordered the maintenance crewmen not to remove anything from the mishap aircraft. NCIS (b)(6), (b)(7)(C) remembered the USMC maintenance crewman stating something to the effect "We were told not to remove anything, not even the pilots flight bags."

NCIS (b)(6), (b)(7)(C) stated that the mishap aircraft was roped off in hangar #2 and Carabinieri, Base Security Force, and USMC personnel were posted as a security watch for the aircraft. NCIS (b)(6), (b)(7)(C) added that both of USAF Base security folks that roped off the aircraft were assigned to Aviano TDY and are no longer at Aviano. NCIS (b)(6), (b)(7)(C) believed that one of the USAF security folks involved in roping off the aircraft was a SSgt. NCIS (b)(6), (b)(7)(C) USAF, but he was not certain.

NCIS (b)(6), (b)(7)(C) stated that on the evening of 04FEB98 he was involved in assisting in the transfer of the mishap aircraft to Zulu 1 from hangar #2. NCIS (b)(6), (b)(7)(C) added that it took a long time to initially coordinate the transfer because the Italian Provost Marshall (NFI) wanted to inventory the cockpit before the aircraft was moved. NCIS (b)(6), (b)(7)(C) stated that he recalls the Base interpreter with him, a man known as NCIS (b)(6), (b)(7)(C) (NFI), introducing the Italian as the "area" Provost Marshall, but NCIS (b)(6), (b)(7)(C) is not sure if it was the Aviano Base Provost Marshall. NCIS (b)(6), (b)(7)(C) further stated that there was a woman (NFI) he believed from the Base Liaison office present at hangar #2 that evening who that protested the Provost Marshall's decision to inventory the aircraft. NCIS (b)(6), (b)(7)(C) described the woman as in her mid-30s with blonde hair. NCIS (b)(6), (b)(7)(C) added that eventually the Provost Marshall was successful and the contents of the aircraft's cockpit were inventoried. NCIS (b)(6), (b)(7)(C) stated that he did not receive a copy of the inventory.

NCIS (b)(6), (b)(7)(C) added that the people present during the inventory of the aircraft were himself and NCIS (b)(6), (b)(7)(C) Base Security, the Italian Provost Marshall, the Italian Carabinieri and the Marine guards. NCIS (b)(6), (b)(7)(C) from the Base interpreter's office, the woman from the Base Liaison office and her assistant. (NFI) NCIS (b)(6), (b)(7)(C) added that NCIS (b)(6), (b)(7)(C) currently away on leave and he does not know when NCIS (b)(6), (b)(7)(C) is expected back. NCIS (b)(6), (b)(7)(C) further added that the female Base liaison officer was conducting most of the interaction with the Italians while her assistant was taking notes.

NCIS (b)(6), (b)(7)(C) stated that the mishap aircraft was then transferred without incident to a hardened aircraft shelter (HAS) in the Zulu loop. The aircraft was secured in the Zulu HAS (Z1) and NCIS (b)(6), (b)(7)(C) USAF, was assigned to the security detail for the mishap aircraft.

NCIS (b)(6), (b)(7)(C) stated that he did not speak to the mishap aircrew or to any of the Fire Department personnel that responded to the incident. NCIS (b)(6), (b)(7)(C) further stated that he has not seen the aircraft since the evening of 04FEB98.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Biographical Information:

Employment: Aviano Air Base Security Force Flight Leader

SSAN [REDACTED]

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

POB: [REDACTED]

Reporting Agent:

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

Office: NCISFO Europe Naples, Italy

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION: Screening interviews of 31st Fighter Wing Security personnel

On 04 May 1998, reporting agent performed screening interviews of 31st Fighter Wing Security personnel in an effort to determine the chain of events pertaining to the hours immediately following the landing of the Marine EA-6B on 03Feb98 in Aviano Air Force Base. The personnel interviewed had no direct contact with any Marine personnel during the time frame in question and no information which could be deemed pertinent to the subject investigation. The following 31st Fighter Wing Security personnel were interviewed with negative results:

SSGT

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

SSGT

REPORTED BY:
OFFICE:
DATE:

NCIS (b)(6), (b)(7)(C)
NCISFO EUROPE
04 May 1998

Page 1 of 1

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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: Receipt of Pertinent Aviano Air Base
Security Police Journal Information

1. On 04MAY98, MSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, the Aviano Air Base Security Police Superintendent of Weapons System Security, provided reporting agent with a binder containing copies of all pertinent Security Force Police Desk Blotter entries and corresponding Security Flight Duty rosters for days when the Aviano Security Force conducted operations in support of the mishap EA-6B aircraft, enclosures (1) through (16) pertain.

2. [REDACTED] NCIS (b)(6), (b)(7)(C) also provided reporting agent with copies of all of the USAF Form 1109s (the official visitor register log forms) which were compiled while the Security Force was assisting with the security of the mishap aircraft, enclosure (17) pertains. Eleven (11) pages were utilized in accounting for all registered visitors through 25APR98.

3. The pages of the Aviano Air Base Security Police Desk Blotter obtained by reporting agent outline significant actions and events that took place during timeframe the base Security Force was actively involved in the recovery and security of the mishap USMC EA-6B aircraft. The Duty rosters identify security personnel involved during significant events outlined in the desk blotter entries.

Enclosures

- (1) Aviano Security Police Desk Blotter/03FEB98/pages 6,7
- (2) Aviano Security Police Duty Roster/03FEB98
- (3) Aviano Security Police Desk Blotter/04FEB98/pages 7,8
- (4) Aviano Security Police Duty Roster/04FEB98
- (5) Aviano Security Police Desk Blotter/05FEB98/pages 4,7
- (6) Aviano Security Police Desk Blotter/06FEB98/page 6
- (7) Aviano Security Police Desk Blotter/08FEB98/page 3
- (8) Aviano Security Police Desk Blotter/09FEB98/pages 2,3
- (9) Aviano Security Police Desk Blotter/12FEB98/page 3
- (10) Aviano Security Police Desk Blotter/03MAR98/page 6
- (11) Aviano Security Police Desk Blotter/08MAR98/pages 4,5,7
- (12) Aviano Security Police Desk Blotter/26MAR98/page 7
- (13) Aviano Security Police Desk Blotter/14APR98/page 3
- (14) Aviano Security Police Duty Roster/14APR98
- (15) Aviano Security Police Desk Blotter/23APR98/page 6
- (16) Aviano Security Police Desk Blotter/25APR98/page 4
- (17) Aviano Security Police Visitor Register Log/Mishap Aircraft/11 pages

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

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Pages 958 through 995 redacted for the following reasons:

Enclosures (1 - 17) to Exhibit (151): Referred to the United States Air Force

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: EVIDENCE INVENTORY

On 04MAY98, Reporting Agent (RA) and CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] Legal Services Support Section (LSSS), Camp LeJeune, NC, (CLNC), obtained several items of evidence from MAJ [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] LSSS, CLNC, regarding captioned investigation. Items of evidence were obtained for review and inventory purposes, enclosures (1)-(12) pertain. RA observed and verified evidence was inventoried and returned properly. Evidenced reviewed include:

Evidence, Item A, enclosure (1) pertains, is described as one (1) brown accordion folder, containing individual files labeled A through Z. Each file was titled according to its prescribed contents as follows.

File (a), labeled AV002 Charts, contained four (4) flight charts labeled AV002.

File (b), labeled AV002 NAV Cards, contained six (6) route cards labeled Track 7 AV002.

File (c), labeled AV004 Charts contained six (6) route cards labeled Track 4 AV004; one (1) strip flight chart with an AV002 flight chart attached; and nineteen (19) individual AV002 Strip flight charts.

File (d), labeled AV004 NAV Cards was empty.

File (e), labeled, AV005 Charts contained three (3) route cards; two (2) flight charts labeled AV005; five (5) strip flight charts of which two (2) had flight charts attached and one (1) had a route card attached.

File (f), labeled AV005 NAV Cards was empty.

File (g), labeled AV006 Charts contained two (2) route cards; and two (2) flight charts.

File (h), labeled AV006 NAV Cards, contained seven (7) route cards labeled Track 6 AV006.

File (i,j), labeled AV010 Charts and NAV Cards contained three (3) AV010 flight charts; two (2) AV006 flight charts; seven (7) AV010 Flight Plans and Logs; and three (3) AV010 route cards.

File (k), labeled AV016 Charts, contained one (1) AV028 flight chart; one (1) AV010 flight chart; one (1) Seahawk Low level NTP Card #1; 19JAN97; two (2) AV016 strip flight charts; three (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

AV016 flight charts; one AV016 strip flight chart; two (2) miscellaneous black and white portions of flight charts; and two (2) unidentified flight charts.

File (l) labeled AV016 NAV Cards, contained two (2) route cards labeled Track 77; one (1) route card labeled Track 2; one (1) route card labeled Track 67.

File (m) labeled AV028 Charts contained four (4) AV028 flight charts; and 2 route cards.

File (n) labeled AV028 NAV Cards contained one (1) AV028 flight chart; and four (4) route cards labeled Track 8 AV028.

File (o) labeled AV047 Charts was empty.

File (p,q) labeled AV047 NAV Cards contained one (1) AV047 flight chart (photocopied by CANPIS (b)(6), (b)(7)(C) hereafter cited as photocopied); three (3) route cards labeled Track 64 AV047 (photocopied); one (1) unidentified route card (photocopied); one (1) DOD International Flight Plan (Form DD1801); and one (1) 555 FSLOW Level Planning Guide (photocopied).

File (t) untitled, contained one (1) blank Flight Planning Sheet for the 31st Fighter Wing, Aviano AFB, 27FEB98; one (1) photocopy of the back of the Flight Planning Sheet; and 19 pages of various flight charts and turning points.

File (u,v) labeled Low level SOP contained two (2) COM Plans labeled AV016 Delta Points/Terminal Areas; one (1) brown folder labeled Aviano Low Levels, which contained one (1) Seahawk Low Level NTP Card #1, dated 19JAN97; one (1) Delta Points/Terminal Control Areas AV047; one (1) USAF, 31st Fighter Wing (USAFE), 29 AUG97, Memo; one (1) 31 Expeditionary Wing FCIF Part B Index, indicating current read file items, as of 29AUG97 (photocopied); one (1) pilot operational procedures, 10APR96, multipage document.

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PROCESS

CCN: 15APR98-0023-0036-7HMS

File (w) labeled FREQ Cards contained 8 pages of FREQ Cards (photocopied 1); four (4) Delta Points/Terminal Control Areas; and one (1) document labeled Sheet 1.

File (x,y,z) labeled 555 NAV Cards contained seven (7) miscellaneous flight charts.

Other evidence reviewed are described by their ECD's, enclosures (2)-(12) pertain. Items were returned to CPL LADD, USMC, 407-98-6873 to secure in MAJ [REDACTED] office.

REPORTED BY: [REDACTED]
OFFICE: NCISFO CAROLINAS, CAMP LEJEUNE, NC

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LE 23498

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 06FEB98-EUNA-0043-7HDR	LOG NUMBER 04898	DATE AND TIME OF SEIZURE 27 FEB 98 / 1220
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED USMC M. Aviano AFB, Aviano, IT	

MI TITLE: I/MARFOR LANT NORFOLK, VA / INVESTIGATIVE SUPPORT TO VMAQ-2 SAUMAN INVESTIGATION

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		One (1) accordion folder titled Italy Low levels containing various charts, navigation cards and low level rules and restrictions including the AV047 Nav cards, photocopy of AV047 flight plan, and the 31 st Fighter Wing approved low level routes, the 31 st Fighter Wing Flight Crew Information File, the Pilots Operational Procedures for Aviano, AFB IT.
B	1		One (1) Italian SOP Add-8, showing the route for the AV047.

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A E B	27 FEB 98 1307	NCIS (b)(6), (b)(7)(C)	NAME Temporary Evidence Locker	Temporary Storage
		ORGANIZATION EUNA	ORGANIZATION Aviano AFB, Aviano, IT	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE	
A E B	13 MAR 98 0929	NAME Temporary Evidence Locker	NCIS (b)(6), (b)(7)(C)	For transfer to Naples
		ORGANIZATION Aviano AFB, Aviano, IT	ORGANIZATION EUNA	
		SIGNATURE	NCIS (b)(6), (b)(7)(C)	
A E B	13 MAR 98 1612	NCIS (b)(6), (b)(7)(C)	NAME EVIDENCE LOCKER	EVIDENCE Custody
		ORGANIZATION EUNA	ORGANIZATION EUNA	
		NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	
A E B	16 APR 98 0834	NAME Evidence Storage Locker	NAME Express Mail-USPS	Permanent transfer of Evidence to CALE
		ORGANIZATION EUNA	ORGANIZATION EH414929 P25 US	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE	

LE 240 98

NAVAL INVESTIGATIVE SERVICE EVIDENCE TAG

NIS 5520/119 (10-72)
S/N 0105-LF-800-5530

ITEM NO.	LOG NUMBER	CODE	
B	03498	EUNA	NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (include quantity)			
ONE (1) CERTIFIED TRUE COPY OF THE			
MISSION AY047 CHART REPORTEDLY TAKEN			
FROM THE RIGHT FRONT NAVIGATION BAG LOCATED			
ON AIRCRAFT 163045 ON 03 FEB 98			
NCIS (b)(6), (b)(7)(C)			IC

LF ~~25098~~ 25098

NAVAL INVESTIGATIVE SERVICE EVIDENCE TAG				NIS 5520/119 (10-72) S/N 0105-LF-800-5530	
ITEM NO.	LOG NUMBER	CODE	NA	NCIS (b)(6), (b)(7)(C)	
A	04498	ELNA			
DESCRIPTION OF ARTICLE (include quantity)					
ONE (1) CERTIFIED COPY OF THE MISSION					
AV047 CHART REPORTEDLY TAKEN FROM THE					
FRONT SEAT NAVIGATION BAG OF AIRCRAFT					
163045 ON 3 FEB 98					
NAME OF PERSON FROM WHOM PROPERTY SEIZED					
EA-6B JAGMAN INVESTIGATION BOARD					

LF 240-98

NAVAL INVESTIGATIVE SERVICE EVIDENCE TAG

NIS 5520/119 (10-72)
S/N 0105-LF-800-5530

ITEM NO.	LOG NUMBER	CODE	MAN
A	03498	EUNA	NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (include quantity)			
ONE (1) CERTIFIED TRUE COPY OF THE			
MISSION AV047 CHART REPORTEDLY TAKEN FROM			
THE RIGHT FRONT SEAT NAVIGATION BAG LOCATED			
ON AIRCRAFT 163045 ON 03 FEB 98			
NAME OF PERSON FROM WHOM RECEIVED			
NCIS (b)(6), (b)(7)(C)			USMC

LE 235-98

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG				NCIS F119 (4-95)
ITEM NO. A	LOG NUMBER 02498	CODE E-UNIT	NAME OF SUBMITTING AGENT NCIS (b)(6), (b)(7)(C) D	
DESCRIPTION OF ARTICLE (Include quantity)				
ONE (1) CERTIFIED TRUE COPY OF LOW				
LEVEL FLYING PROCEDURES REPORT				
TAKEN FROM BACK SEAT NAVIGATION BAG				
OF AIRCRAFT 163045				
NAME OF PERSON FROM WHOM PROPERTY SEIZED				
NCIS (b)(6), (b)(7)(C)			USMC	

LE 235-98

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG		NCIS F119 (4-95)	
ITEM NO. B	LOG NUMBER 029-98	CODE EUNA	NAME OF SUBMITTING AGENT NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (Include quantity)			
Two (2) low level flying procedure cards,			
repeatedly taken from the cockpit of			
aircraft 163045, which were provided to			
Major [redacted]		by Major [redacted]	
NAME OF PERSON			
[redacted] NCIS (b)(6), (b)(7)(C)			

507 (22)

174

31st FIGHTER WING/
4190th PROVISIONAL WING

PILOT AID



VOL 1: 20 Mar 96
Ch 1: 10 May 96
Ch 2: 20 Aug 96
Ch 3: 15 Feb 97

LE 25198

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG

NCIS F119 (4-95)

ITEM NO. B	LOG NUMBER 045-98	CODE EUNRA	NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (Include quantity)			
One (1) thirty first Fighter Pilot Aid			
indicating the dates change three (3)			
15 FEB 97 reportedly recovered from the			
rear cockpit of aircraft 163045 Item			
reportedly removed from cockpit by Captain			
NAME	NCIS (b)(6), (b)(7)(C)		1/5mc

31st
FIGHTER WING

PILOT AID
Ready Room



COM
VOL 1 150697
This Block of evidence has been processed for all pilots assigned/attached to the 31st Expeditionary Wing

508

LE 251-98

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG NCIS F119 (4-95)

ITEM NO. A	LOG NUMBER 04598	CODE EUNA	AGENT NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (Include quantity) ONE (1) THIRTY PAGE - FIGHTER PILOT AID INDICATING Ready Room copy DATED 150697? Reportedly received FROM THE FRONT COCKPIT OR AIRCRAFT 163045. Item reportedly received from COCKPIT BY CAPT. NCIS (b)(6), (b)(7)(C) USMC			
NAME NCIS (b)(6), (b)(7)(C)			USMC

LE 237-98

NAVAL INVESTIGATIVE SERVICE EVIDENCE TAG			NIS 5520/119 (10-72) S/N 0105-LF-800-5530
ITEM NO. A	LOG NUMBER 03148	CODE EUNA	NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (include quantity)			
ONE (1) MASTER FLIGHT SCHEDULE			
FOR 03 FEB 98 FOR VMAQ-2			
NCIS (b)(6), (b)(7)(C)			USMC

Handwritten scribbles

LE 236-98

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG			NCIS F119 (4-95)
ITEM NO. C	LOG NUMBER D3048	CODE EUNA	IT NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (include quantity)			
One (1) navigational card taken from			
above referenced flight reportedly obtained			
from Maize NCIS (b)(6), (b)(7)(C) by Major			
NCIS (b)(6), (b)(7)(C)			
NAME		NCIS (b)(6), (b)(7)(C)	MS

LE 236-98

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG			NCIS F119 (4-95)
ITEM NO. B	LOG NUMBER 03098	CODE SANA	NCIS (b)(6), (b)(7)(C)
DESCRIPTION OF ARTICLE (include quantity)			
ONE (1) NAVIGATIONAL CARD REPRODUCED			
TAKEN FROM THE BACK SEAT OF AIRCRAFT			
163045 FLYING MISSION AT047 ON 03FEE98			
THIS CARD WAS REPRODUCED BY			
IT4 NCIS (b)(6), (b)(7)(C)		NCIS (b)(6), (b)(7)(C)	
NAM	NCIS (b)(6), (b)(7)(C)		VSMC

		1	012 44.0E		
			413	1E	
01.1	16.6		46 47.0N	2	500
		2	011 53.0E		
			413	1E	
01.7	04.9		46 16.0N	3	500
		3	010 31.0E		
			413	0W	
02.1	12.8		44 58.0N	4	2000
		4	010 25.0E		
			413	0W	
00.8	12.0		45 26.0N	5	2000
		5	010 42.0E		
			413	0W	
00.7	11.3		45 52.0N	6	2000
		6	010 52.0E		
			413	0W	
01.4	09.9		46 26.0N	7	2000
		7	011 51.0E		
			413	1E	
00.9	09.0		46 01.9N	0	3000
		8	012 35.8E		
			413	1E	

502

-100
-200
-660
-800
12100 4
1000
D 150

25 161/11
26 201/11

This is a true and accurate copy taken from the front seat located on the aircraft mission AV047 on 3 Feb 98.

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

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG				NCIS F119 (4-95)
ITEM NO.	LOG NUMBER	CODE	N	
A	02048	EU0A		
DESCRIPTION OF ARTICLE (include quantity)				
One (1) Certified true copy of Navigation Card (Tet log) reportedly taken from front seat navigation bag of aircraft 163045 flying mission AV047 on 03Feb98				
NAME OF PERSON FROM WHOM PROPERTY SEIZED				
USMC				

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

LE # 236-98

21Feb98
EVIDENCE

CAV
EVIDENCE

CAV
EVIDENCE

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 AMN [REDACTED] USAF

On 04May98, AMN [REDACTED] USAF, was interviewed by reporting agent aboard Aviano Air Base, Aviano, Italy. Reporting agent identified himself verbally and by displaying his credentials. [REDACTED] was interviewed concerning the events of 03Feb98, the date of the aircraft mishap involving an EA-6B Prowler and a cable car.

[REDACTED] assigned to the 31st Security Forces Squadron, and assisted in securing the mishap aircraft after it landed. On 03Feb98 at approximately 1500 [REDACTED] was on duty in the Tango Restricted Area, where the base's aircraft control tower is located. She heard over the radio that there was an in-flight emergency, approximately five minutes out from the base. [REDACTED] called that the flight landed very quickly. She did not witness the landing, adding that she only observed the aircraft on the runway after it had landed.

[REDACTED] was then ordered to proceed to Hangar #2 in order to provide security. As she proceeded to that area, she observed the mishap aircraft being towed approximately 200 feet, and backed into the hangar. The hangar door remained open for approximately 15-20 minutes before it was shut. During the time the door was open, [REDACTED] assisted in manning a security checkpoint approximately 200 feet from the hangar. She stated she was not approached by any military or civilian personnel during this time.

During the time the hangar door was open, [REDACTED] observed approximately 8-9 marines around the aircraft, along with approximately 8 Italian Carabinieri. She did not see the flight crew during this time.

After approximately 20 minutes' time, [REDACTED] was ordered to return to her normal security post, Tango Area. Although [REDACTED] did not witness the mishap aircraft's move to another hangar, she heard that it had been moved to "Zep 1" – a hardened aircraft shelter in the Zulu Area of the base. [REDACTED] was unaware of the aircraft's movements after its move to the Zulu Area.

BIOGRAPHICAL DATA

SSN: [REDACTED]
DOB: [REDACTED]
POB: [REDACTED]
Security clearance: Secret

Reporting agent: [REDACTED]
Office: NCISFO Naples, Italy

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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] USMC

On 04May98, reporting agent and participating agent [REDACTED] interviewed Capt [REDACTED] USMC, [REDACTED], regarding the VMAQ-2 EA6B Prowler mishap which occurred near Cavalese, Italy on 03Feb98. [REDACTED] was interviewed at the request of the Trial Counsels assigned to this case. This interview was conducted at the NCISFO Carolinas located aboard MCB Camp Lejeune, NC.

[REDACTED] is a pilot assigned to MVAQ-4, MAG-14, 2DMAW, MCAS Cherry Point, NC. His squadron is currently deployed at Aviano AFB in Italy. [REDACTED] was on the advance party to Aviano, having arrived there approximately 28-29Jan98.

[REDACTED] advised he checked into VMAQ-4 on 09Jan96. Prior to this assignment, he was at the Replacement Air Group (RAG), Whidbey Island, WA.

[REDACTED] indicated he had met three of the four officers who were involved in the Aviano mishap. He noted he and Capt [REDACTED] overlapped in training while at Intermediate and Advanced Flight School in Meridian, MS. [REDACTED] state he flew with [REDACTED] on a low level training flight from Whidbey Island to Fallon, NV and back. [REDACTED] recalled he was in the back seat while [REDACTED] flew to Fallon, and [REDACTED] was in the back seat when [REDACTED] flew back to Whidbey Island. [REDACTED] indicated a RAG flight instructor was in the ECMO-1 seat on those flights. [REDACTED] could not recall [REDACTED] doing anything wrong on that flight.

[REDACTED] noted [REDACTED] has a reputation of being a solid pilot. He said he has never heard [REDACTED] described as a "Cowboy." [REDACTED] claimed he has never heard of nor observed [REDACTED] intentionally violating any flight restrictions/SOP/rules while in the aircraft.

[REDACTED] stated [REDACTED] moved into his "hooch" in Aviano after VMAQ-2 departed for Cherry Point in Feb98. [REDACTED] stated he did not discuss the mishap with [REDACTED] at all.

[REDACTED] indicated he knew [REDACTED] from when he was assigned to VMAQ-4. [REDACTED] recalled he checked into that squadron shortly before [REDACTED] left for a ground tour. [REDACTED] recalled [REDACTED] was a very good ECMO. [REDACTED] stated he did not discuss the mishap with [REDACTED] at all.

[REDACTED] stated he had never met [REDACTED] before the mishap. He advised he did not discuss the mishap with [REDACTED] at all.

[REDACTED] stated he and [REDACTED] are close friends. [REDACTED] indicated they met in approximately Sep-Oct96. [REDACTED] recalled the squadron

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was deployed to Aviano when [redacted] checked in [redacted] related he flew with [redacted] a lot, with [redacted] in all of the ECMO seats.

[redacted] stated he did recall flying a low level flight with [redacted] on their first deployment to Aviano [redacted] indicated he flew AV047 a couple of times on that deployment, but he could not recall if [redacted] flew AV047 with him [redacted] related he flew a lot of low levels on the first deployment to Aviano, and that he was almost certain [redacted] flew with him on some of them.

[redacted] indicated during the times he has flown with [redacted] there has never been an occasion when [redacted] has asked/indicated/tried to have [redacted] drop below a minimum altitude restriction.

[redacted] was asked what speeds low level training routes are usually briefed at [redacted] believed the speed for route AV047 was briefed at 420 knots because that is what he believed the charts for that route depicted. According to [redacted] in CONUS low level training routes are briefed at 420 knots, 480 knots or 510 knots, depending on the route [redacted] later indicated the 420 and 480 knots were the standard speeds for low levels in CONUS.

When asked how he would define the term "Cross Compartment [redacted] indicated he had not heard of that term.

[redacted] stated he was not aware of a "Cable Car Club" and indicated "that would be insane."

[redacted] described his actions prior to and following the mishap. He noted he had not flown at all after arriving in Aviano on the advance. He identified his roommates as [redacted] Capt [redacted] Capt [redacted] and Capt [redacted]

[redacted] recalled he was in the VMAQ-2 Ready Room at the time of the mishap. He heard a radio call indicating a "damaged aircraft" or "severely damaged aircraft". He believed [redacted] was the person he heard on the radio making that call. [redacted] recalled that he had Capt [redacted] the ODO, ask the crew what the nature of their damage was, but he did not hear a response to that question.

[redacted] stated he is a Landing Signal Officer (LSO). He related and Capt [redacted] left the Ready Room, got into a vehicle and started to drive to the landing site. He said they were stopped by the Security Police before they could get near the plane. They returned to the Ready Room, where [redacted] went to the DSS shop and then began to take a chronological log for the ODO.

[redacted] recalled that the mishap aircrew entered the Ready Room. He stated he had no conversation with any of them at that time, except

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he did comment to NCIS (b)(6), (b)(7)(C), "glad you're alright brother."

NCIS (b)(6), (b)(7)(C) stated he did not overhear any of the mishap crew's comments or statements about the mishap flight. He added he did not hear any second hand information about the mishap in the Ready Room at that time.

NCIS (b)(6), (b)(7)(C) did not have any information regarding the LTCOL NCIS (b)(6), (b)(7)(C) videotaped low level flight. He said the first he heard of that was when the television program "HARD COPY" brought it up. He stated he didn't see that video until about 2 weeks after it aired on "HARD COPY", when the squadron CO showed it as something not to do. NCIS (b)(6), (b)(7)(C) added he is not aware of any other tapes from EA6B Prowlers that are similar to the NCIS (b)(6), (b)(7)(C) tape.

NCIS (b)(6), (b)(7)(C) stated it is common to take a still camera on flights, but not common to fly with video camera.

NCIS (b)(6), (b)(7)(C) stated he has never flown a jet with a video camera inside it. He said he has only heard of that happening when a squadron is making a "video cruisebook". He indicated VMAQ-4 made a video cruisebook during their first Aviano deployment. He did not know who flew that plane. He advised the squadron CO, a LTCOL NCIS (b)(6), (b)(7)(C) was aware of the video and was also in one of the planes flying in the Division that was involved in filming the video. NCIS (b)(6), (b)(7)(C) stated the flight that was taped was not a low level, but it was a night flight.

NCIS (b)(6), (b)(7)(C) stated he did not know there was a video camera in the cockpit of the mishap flight. He advised he did not know NCIS (b)(6), (b)(7)(C) owned video cameras, but he stated NCIS (b)(6), (b)(7)(C) did not have one in Aviano.

NCIS (b)(6), (b)(7)(C) stated he had no information on whether or not the mishap aircrew was filming their flight.

NCIS (b)(6), (b)(7)(C) stated he had no knowledge of any low level flights where altitude restrictions were not adhered to.

NCIS (b)(6), (b)(7)(C) denied being present at any form/informal gathering or formation in Aviano where NCIS (b)(6), (b)(7)(C) discussed the mishap.

NCIS (b)(6), (b)(7)(C) stated that within 7 days of the mishap occurring, he spoke alone with NCIS (b)(6), (b)(7)(C) in his hooch. NCIS (b)(6), (b)(7)(C) said he asked NCIS (b)(6), (b)(7)(C) what happened. According to NCIS (b)(6), (b)(7)(C) provided the following: He said they were flying along. He thought they were fine. He was looking out the left window and saw that the ground was sloping down and to the left. He felt a bump and heard a noise. He thought they hit something, like a bird...thought it was

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a bird strike. Then he heard someone in front seat say to "climb" or "get altitude", or words to that effect. NCIS (b)(6), (b)(7)(C) claimed NCIS (b)(6), (b)(7)(C) did not say who in front seat made "climb" statement.) NCIS (b)(6), (b)(7)(C) pointed out the right window at the damage to the wing. He knew the aircraft was in dire straits...he was prepared to eject the whole way back to Aviano AFB.

NCIS (b)(6), (b)(7)(C) stated NCIS (b)(6), (b)(7)(C) told him there were no problems on the flight until he felt the bunt and heard the "climb" statement.

NCIS (b)(6), (b)(7)(C) stated that NCIS (b)(6), (b)(7)(C) claimed there was "no tone". NCIS (b)(6), (b)(7)(C) explained that NCIS (b)(6), (b)(7)(C) was talking about the RADALT, meaning it did not sound.

NCIS (b)(6), (b)(7)(C) advised NCIS (b)(6), (b)(7)(C) did not say what altitude the flight was briefed at.

According to NCIS (b)(6), (b)(7)(C) told him there was nothing being done in the plane to intentionally violate any flight SOP/rules/restrictions during the mishap flight.

NCIS (b)(6), (b)(7)(C) stated he never took part in, or was present for, any discussions about the mishap with Capt NCIS (b)(6), (b)(7)(C) Capt NCIS (b)(6), (b)(7)(C) or Capt NCIS (b)(6), (b)(7)(C) at the "Hawk", which he described as a make-shift club inside a tent.

NCIS (b)(6), (b)(7)(C) stated the only time he ever discussed the mishap with NCIS (b)(6), (b)(7)(C) was inside his hooch as he mentioned above.

NCIS (b)(6), (b)(7)(C) believed NCIS (b)(6), (b)(7)(C) would have called "knock it off" if the pilot was doing something unsafe. However, NCIS (b)(6), (b)(7)(C) acknowledged that it is possible NCIS (b)(6), (b)(7)(C) may not have been inclined to call "knock it off" if he witnessed violations of SOP or altitude/speed restrictions. NCIS (b)(6), (b)(7)(C) indicated comments on those issues sometimes are best made during the after brief.

NCIS (b)(6), (b)(7)(C) indicated NCIS (b)(6), (b)(7)(C) had asserted himself during a low level flight with NCIS (b)(6), (b)(7)(C) North Carolina in approximately Dec 97. NCIS (b)(6), (b)(7)(C) claimed he had gotten the plane into a bad situation during a turn, and NCIS (b)(6), (b)(7)(C) spoke up and gave him directions in order to prevent the situation from getting worse.

NCIS (b)(6), (b)(7)(C) indicated a speed of 550 knots for 40 seconds, when flying an EA6B Prowler with a straight and level attitude through the valley where the mishap occurred, does not raise any eyebrows as far as he is concerned.

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BIOGRAPHICAL DATA

[REDACTED] /Capt USMC

SSN:

DOB:

POB:

UNIT:

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

PARTICIPATING AGENT

[REDACTED] SA, NCISFO Carolinas, CLNC

REPORTED BY:

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

OFFICE:

NCISFO CAROLINAS

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

On 04May98, Major [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed at NCISFO Carolinas, Camp Lejeune, NC by Reporting Agent (RA) and Participating Agent (PA) [REDACTED] NCIS (b)(6), (b)(7)(C) is the executive officer (XO) of VMAQ-4, and was deployed to Aviano, Italy on the advance party of his squadron at the time of the mishap involving VMAQ-2 personnel along with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) from VMAQ-4.

NCIS (b)(6), (b)(7)(C) said he had been deployed to Aviano once previously from Sep96 to Feb97 with his squadron, but had never flown any low level training missions in Italy. NCIS (b)(6), (b)(7)(C) said he had not attended any formal training or flight school with any of the mishap crew, though he believed he was at Whidbey Island going through some refresher training during a time when Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was also there going through some training. NCIS (b)(6), (b)(7)(C) said he knew all the persons in the mishap crew except for Captain [REDACTED] NCIS (b)(6), (b)(7)(C) but only knew Captain [REDACTED] NCIS (b)(6), (b)(7)(C) from his squadron well. NCIS (b)(6), (b)(7)(C) indicated he thought he may have flown with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) previously, but was unsure of this. NCIS (b)(6), (b)(7)(C) indicated he had flown with [REDACTED] NCIS (b)(6), (b)(7)(C) a good deal, but no more or less than any of the other pilots or ECMO's in his command.

NCIS (b)(6), (b)(7)(C) asked what speed a low level training mission is normally planned and flown at and indicated 420 knots was fairly standard, but they could be flown at less or greater speeds. NCIS (b)(6), (b)(7)(C) asked if the speed of 550 knots (alleged speed of the mishap aircraft at time of mishap) was excessive. NCIS (b)(6), (b)(7)(C) said this was unusually fast especially if one was just getting back into the low level environment. However, NCIS (b)(6), (b)(7)(C) indicated this was not necessarily an unsafe speed if flown at or above 1000 feet AGL.

NCIS (b)(6), (b)(7)(C) asked if he had ever heard of a "Cable Car Club". NCIS (b)(6), (b)(7)(C) indicated he had never heard of such a thing, and knew there had never been such a thing. NCIS (b)(6), (b)(7)(C) said he had no knowledge of persons who may have had access to the cockpit of the mishap aircraft immediately after it landed at Aviano.

NCIS (b)(6), (b)(7)(C) said he was familiar with the [REDACTED] NCIS (b)(6), (b)(7)(C) which was shown on Hard Copy, but said he was not aware of it prior to the mishap and the time it aired. NCIS (b)(6), (b)(7)(C) said he had seen the Hard Copy version of the tape approximately two weeks after it aired in the U.S., as someone had the tape sent to them in Aviano.

NCIS (b)(6), (b)(7)(C) said having a video camera in the cockpit was a very rare occurrence. NCIS (b)(6), (b)(7)(C) said still cameras were a little more common, but they were usually people who were fairly knew to the community who were getting scrap book type photos of tanking operations, etc.

NCIS (b)(6), (b)(7)(C) said he had heard there was a video camera in the mishap aircraft, and thought he had heard it belonged to Captain [REDACTED] NCIS (b)(6), (b)(7)(C)

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NCIS (b)(6), (b)(7)(C) said he did have knowledge of sanctioned video tapes being taken in the past for things like a video cruise book, but nothing that portrayed inappropriate flying. NCIS (b)(6), (b)(7)(C) said he had never experienced or even heard of any aviators intentionally violating any altitude restrictions in Aviano or anywhere else.

NCIS (b)(6), (b)(7)(C) said he was in the operations section at VMAQ-2 in Aviano when he first heard about the mishap. NCIS (b)(6), (b)(7)(C) said Major NCIS (b)(6), (b)(7)(C) came in and said something to him about the aircraft hitting something, and they thought it might have been cables. NCIS (b)(6), (b)(7)(C) said it wasn't long before CNN was on the air confirming this. NCIS (b)(6), (b)(7)(C) said he went to the ready room after he learned of the mishap and was just there to assist if needed and make himself available.

NCIS (b)(6), (b)(7)(C) said he did not try to take charge of anything as it was being handled well by VMAQ-2 personnel, and it was not his squadron. NCIS (b)(6), (b)(7)(C) said he did not hear any of the radio traffic leading up to the mishap aircraft landing back at Aviano.

NCIS (b)(6), (b)(7)(C) said he was around the mishap crew in the ready room and specifically spoke with NCIS (b)(6), (b)(7)(C) said he asked him what happened and NCIS (b)(6), (b)(7)(C) said something like, "I think we hit a cable." NCIS (b)(6), (b)(7)(C) also said something like, "I think I saw a cable car."

NCIS (b)(6), (b)(7)(C) also said he spoke to NCIS (b)(6), (b)(7)(C) and told him something like, "Good job it getting it back." NCIS (b)(6), (b)(7)(C) said he heard NCIS (b)(6), (b)(7)(C) talking about the mishap and NCIS (b)(6), (b)(7)(C) said he looked up and was scanning the horizon and it was a little hazy. He went on to say he saw the cable and thought it would cut his head off. NCIS (b)(6), (b)(7)(C) said NCIS (b)(6), (b)(7)(C) indicated he tried to go under the cable by bunting the nose of the aircraft, and said this was the only way he could miss the cable was by doing this.

NCIS (b)(6), (b)(7)(C) said the mishap crew started writing statements in the ready room, where they were separated, and he had been the person who had told them to start doing this.

NCIS (b)(6), (b)(7)(C) said he did speak with NCIS (b)(6), (b)(7)(C) in the days following the mishap, but these conversation were more spiritual in nature, and not him questioning him about the mishap. NCIS (b)(6), (b)(7)(C) did repeat that they had hit the cable car. NCIS (b)(6), (b)(7)(C) said he did not attempt to question NCIS (b)(6), (b)(7)(C) or anyone else about the mishap because this was the job of the Jag-Man board in determining what had happened.

NCIS (b)(6), (b)(7)(C) described NCIS (b)(6), (b)(7)(C) both personally and professionally as being a very genuine individual who was of good stock. He said he was straight talking and straight shooting, one of those individuals you definitely want in your squadron. A person you

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would go to hell and back with. [REDACTED] NCIS (b)(6), (b)(7)(C) combines all those things you want in an aviator from mission focus, aeronautical sense, inquisitiveness, and initiative. [REDACTED] NCIS (b)(6), (b)(7)(C) went of to say if RA had a daughter, [REDACTED] NCIS (b)(6), (b)(7)(C) is the type of person you would like her to marry.

[REDACTED] NCIS (b)(6), (b)(7)(C) was asked if he had any knowledge of [REDACTED] NCIS (b)(6), (b)(7)(C) addressing members of his squadron after the mishap and said he did not. [REDACTED] NCIS (b)(6), (b)(7)(C) said he had heard about this from an NCIS agent in Aviano, but had no personal knowledge of this and did not know if it happened or what was said if it did occur.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he had never heard anything derogatory about Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and said all he had heard was that he was a good pilot with excellent skills.

[REDACTED] NCIS (b)(6), (b)(7)(C) said sometime during mid summer 1997 he experienced something with [REDACTED] NCIS (b)(6), (b)(7)(C) he felt was noteworthy. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was ECMO1 on a scheduled flight and [REDACTED] NCIS (b)(6), (b)(7)(C) was ECMO3. [REDACTED] NCIS (b)(6), (b)(7)(C) could not remember who the pilot or ECMO2 was. [REDACTED] NCIS (b)(6), (b)(7)(C) said they had electric power and the engines running and were preparing for launch. [REDACTED] NCIS (b)(6), (b)(7)(C) said he could not remember what the specific problem was, but there was a system problem, and [REDACTED] NCIS (b)(6), (b)(7)(C) spoke up about it and the mission was aborted. [REDACTED] NCIS (b)(6), (b)(7)(C) said he felt it was a minor problem and they could have flown anyway, but just wanted to illustrate how [REDACTED] NCIS (b)(6), (b)(7)(C) was very conscientious about flying, and was not shy about speaking up.

BIOGRAPHICAL DATA

EMPLOYMENT: Major, USMC, VMAQ-4, Aviano, Italy

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: 05MAY98

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STATEMENT

DATE: 05May98

PLACE: Aviano, Italy

NCIS (b)(6), (b)(7)(C) Captain [redacted] NCIS (b)(6), (b)(7)(C), USMC, make the following free and voluntary statement to [redacted] 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, without any threats made to me or promises extended. I fully understand this statement is given concerning an aircraft mishap involving an EA-6B Prowler, and a cable car [redacted] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) For identification purposes, I am [redacted] NCIS (b)(6), (b)(7)(C), born on [redacted] NCIS (b)(6), (b)(7)(C) I have a Top Secret security clearance. My social security number is [redacted] NCIS (b)(6), (b)(7)(C) I am assigned to VMAQ-4, currently on deployment in Aviano, Italy. I am an EA-6B Prowler pilot, and the Aviation Safety Officer (ASO) for the squadron. I did not arrive in Aviano on the advance team. I came in with the rest of the squadron [redacted] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I personally know Captains [redacted] NCIS (b)(6), (b)(7)(C) I was in the same squadron with Captain [redacted] NCIS (b)(6), (b)(7)(C) between August 1994-1995, in VAQ-129, a training squadron. I have never flown with Captain [redacted] NCIS (b)(6), (b)(7)(C) and I don't know about his flying reputation [redacted] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) was present during a formation when Captain [redacted] NCIS (b)(6), (b)(7)(C) spoke to the crowd. It occurred a few weeks after the mishap. He thanked everyone, and reassured the Marines that he did nothing wrong, had no malicious intent, and was very sorry for the people involved. I did not witness anyone recording, or taking notes during this formation [redacted] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) was in Aviano during the squadron's last deployment, from Aug 96 to Feb 97. I have flown route AV047 before. I flew it in early 1997, toward the end of our deployment. I flew it at the altitude that was authorized at the time. It may have been 500 feet, but I'm not sure. It is a low-level route, usually consisting of mountainous terrain, forests, and dotted with villages and ski resorts. I don't recall any noise complaints made against us at that time. As far as I know, there existed a 1000 feet AGL restriction for all low level flights before the cable car mishap [redacted] NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) [redacted] NCIS (b)(6), (b)(7)(C) have been asked about Raymond Recorder Set (RRS) tapes. There are two tape slots in the Prowler aircraft. One tape contains Secret information based on electronic intelligence (ELINT) pertinent to the mission. The other tape is used to record all mission data such as ELINT, and some information about position of the aircraft. It is later used for intelligence gathering and analysis. This second tape is initialized before flight. Either the ECMOs or the pilot downloads an RRS tape with all the essential ELINT pertinent to that mission before the flight [redacted] NCIS (b)(6), (b)(7)(C)

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

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

I have been asked about the "cable car club", and any other rites of passage that Prowler pilots may go through. I have never heard of this term, nor have I ever been a part of any rite of passage

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

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

I have read and understand this statement, consisting of this and one additional page, typed for me by M. [redacted] from information we discussed. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief

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

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

5 MAY 98 1430

Subscribed and sworn to before me this 5th day of May, 1998 in Aviano, Italy

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

5 MAY 98 1430

AUTHORITY:
SECNAVINST 5520.3B OF 04Jan93

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

DATE: 05May98

PLACE: Aviano, Italy

NCIS (b)(6), (b)(7)(C) Sgt. NCIS (b)(6), (b)(7)(C) USAF, 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, without any threats made to me or promises extended. I fully understand this statement is given concerning an aircraft mishap involving an EA-6B Prowler and a cable NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) For identification purposes, I am NCIS (b)(6), (b)(7)(C), born on NCIS (b)(6), (b)(7)(C) My social security number is NCIS (b)(6), (b)(7)(C) I have a Secret security clearance. I am an Air Traffic Controller, assigned to the 31st OSS, Aviano Air Base Aviano, Italy. I have been an air traffic controller for approximately eight years with the Air Force NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I work at the base's Radar Approach Control (RAPCON). Our job is to control departure and arrival of aircraft coming in and out of the base. We have no visual contact with the aircraft at all. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I was working on 03Feb98, the day of the mishap. I don't recall what time I reported to work that day. I may have been on the swing shift. I provided departure control for the EA-6B sometime in the afternoon. The reason I remember this aircraft is that it had the same call sign as the mishap aircraft. I don't remember the call sign at the moment. As far as I can recall, the aircraft's departure was an uneventful one. I spoke to who I assumed to be the pilot after it left the control tower's area. The pilot did not seem unduly stressed at the time. The aircraft did not depart in a radical manner. It was pretty much normal. It climbed to about 13,000 feet to clear the mountains. I covered the Prowler up until it was about 10 miles out to the Northeast. After that, I believe I handed control to the Padova Center after that. I don't know if the Padova Center provides radar coverage to the aircraft after that. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The mishap aircraft took off Visual Flight Rules (VFR) – which means that it is up to the aircrew to fly their designated altitude. We do not monitor the altitude that they fly after the aircraft leaves our radar coverage. I know by the flight plan that the pilot had filed that they were on a routine low-level training mission to the Northwest. The flight plan that is filed usually has a three-digit code that told me it was a low-level flight. I do not recall that particular code, as there are over fifty different codes. Although I am not familiar with the particular flight path they took, I believe it was a standard route for low-level flying. I know that there is a 2000 foot altitude restriction for low-level flying. I know this from the standard flight manual. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Sometime later, maybe about 45 minutes to an hour later, an aircraft about 15 miles out to the Northwest began squawking an emergency code, '7700'. I know he was above 11,000 feet at this point. I tried to contact the aircraft on all emergency frequencies. NCIS (b)(6), (b)(7)(C)

Page 1 of NCIS (b)(6), (b)(7)(C)

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

001022

EXHIBIT 157

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NCIS (b)(6), (b)(7)(C) a minute with no success. Upon finally establishing contact with the aircraft, the pilot stated that they were declaring an emergency. The pilot sounded a little nervous, which is probably normal for an emergency situation. He said that he had rear stabilizer damage. He may have mentioned a hydraulics failure, but I don't recall. The pilot then requested to go on a holding pattern over the base for a while before landing. He did not give a reason why he wanted to do this. The runway they were slotted to land on was already set up for a cable landing (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The aircraft went on a holding pattern for about 3-4 minutes before landing. The aircraft circled the airport to within 3-4 miles on either end of the runway. The pilot stated that his fuel was low, maybe about 20 minutes of fuel remaining. I'm not sure if that was the total amount of fuel he had, or not. The pilot also requested that he wanted to take an approach-end barrier for his landing (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The pilot never mentioned his flight, altitude, or how he sustained the damage to the aircraft. He never mentioned hitting a cable, or gondola. I just assumed the aircraft had struck a bird at the (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) He been asked about the "cable car club". I have never heard of this term, nor am I aware of any rites of passage gone through by any aircraft pilots. I do not personally know any of the EA-6B aircrew. I also do not personally know any of the maintenance crew who may have had access to the mishap aircraft after it landed (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The aircraft came in, it stayed above the Minimum Vectoring Altitude (MVA) – which is a minimum altitude for us to vector an aircraft in for a landing. He stayed above the MVA until he requested a lower altitude, when he was about 7-8 miles to the North (b)(6), (b)(7)(C)

I have read and understand this statement, consisting of this and one additional page, typed for me by (b)(6), (b)(7)(C) information we discussed. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief.

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

11 MAY 98 1127 AM

Subscribed and sworn to before me this 5th day of May, 1998 in Aviano, Italy.

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

05 MAY 98 1128 AM

AUTHORITY:
SECNAVINST 5520.3B OF 04Jan93

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

PLACE: AVIANO AIR BASE

AVIANO, IT

DATE: 05MAY98

I Major [redacted] NCIS (b)(6), (b)(7)(C) make the following free and voluntary statement to [redacted] 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 items taken out of the EA-6B Prowler mishap aircraft on 03FEB98 at the Aviano Air Base, Aviano, IT.

For purpose of identification, I am a [redacted] NCIS (b)(6), (b)(7)(C) male, having [redacted] NCIS (b)(6), (b)(7)(C) hair and [redacted] NCIS (b)(6), (b)(7)(C) eyes. My social security number is [redacted] NCIS (b)(6), (b)(7)(C) and I was born on [redacted] NCIS (b)(6), (b)(7)(C). I am currently assigned to the Staff Judge Advocate's office, Aviano Air Base, Aviano, IT.

On the evening of 04FEB98, upon returning from a trip to Trento, Italy as part of the Interim Safety Board, I proceeded to the 31st Fighter Wing Headquarters, Aviano Air Base, Aviano, IT. In [redacted] NCIS (b)(6), (b)(7)(C) (USAF, Vice Commander, 31st Fighter Wing) office at this time was Lt [redacted] NCIS (b)(6), (b)(7)(C) (General [redacted] NCIS (b)(6), (b)(7)(C) USAF, Commander-31st Fighter Wing, General [redacted] NCIS (b)(6), (b)(7)(C) USAF, Commander, 16th Air Force, Co [redacted] NCIS (b)(6), (b)(7)(C) Italian Air Force, Commander Aviano Air s, and I believe [redacted] NCIS (b)(6), (b)(7)(C) USAF, Vice Commander, 31st Fighter Wing, were also present in this meeting. Carabinieri personnel were also there, but were waiting outside of [redacted] NCIS (b)(6), (b)(7)(C) office. They included [redacted] NCIS (b)(6), (b)(7)(C). At this time, the Carabinieri were requesting to have access to the EA-6B Prowler, aircraft involved in the mishap occurring on 03FEB98. The Carabinieri wanted to see what items of potential evidentiary value were in the cockpit of the mishap aircraft. Carabinieri personnel stated that General [redacted] NCIS (b)(6), (b)(7)(C) had promised to cooperate in viewing the contents of the aircraft. Earlier that day, the Italian Magistrate in Trento, Italy, sequestered the mishap aircraft by virtue of Italian Law. In the spirit of cooperation, we allowed the Carabinieri to enter the cockpit of the aircraft; however, never acknowledged that we were giving up the aircraft to the Italians.

Subsequently, on the evening of 04FEB98, after the above meeting, Carabinieri personnel along with myself, met at Hangar #2, Aviano Air Base, Aviano, IT, where subject mishap aircraft was parked. Security Police and Carabinieri personnel, to include [redacted] NCIS (b)(6), (b)(7)(C) from the Sacile (IT) Carabinieri, were present at this time. [redacted] NCIS (b)(6), (b)(7)(C) then climbed up into the cockpit of the mishap aircraft, with the assistance of Capt [redacted] NCIS (b)(6), (b)(7)(C) USMC, VMAQ-2. (That evening, I requested a USMC member from VMAQ-2 be sent over to

hangar #2 who was familiar with the mishap aircraft and could assist in this endeavor. Consequently, Capt [redacted] came over; however, this was before Capt [redacted] was questioned by the Italian Magistrate regarding the mishap aircraft). On the evening of 04FEB98, after climbing up to the cockpit, [redacted] began pulling items out of the cockpit. Also present during this time was Tech Sergeant (TSgt) [redacted] USAF, who was keeping an inventory of items removed from the mishap aircraft.

[redacted] removed two (2) navigator bags, one (1) 35 mm still camera and one (1) video camera. One (1) of the two (2) navigator bags was taken out of the front cockpit, I am not sure which one, and the other navigator bag was taken out of one of the rear cockpits, again, I am not sure which one. The 35 mm camera and video camera were taken out of one of the rear cockpits. TSgt [redacted] detailed this information to the USMC Mishap Board, to which [redacted] assisted administratively.

During this entry into the cockpit, we removed items out of the mishap aircraft's cockpit and documented everything. We looked at the 35 mm still camera which was a simple point and shoot type camera, vice one of the more sophisticated 35 mm cameras. I am not sure of the make or model of this camera. We subsequently determined the 35 mm camera had film in it and photographs had been taken. We then looked at the video camera that was in the mishap aircraft's cockpit. We removed the videotape out of the videotape camera and the videotape appeared to be at the beginning of the tape, but could also have been at the end. I did not recognize the brand of the video camera, but it was one of the small type video cameras. Again, the videotape was either totally re-wound or at the beginning. I did not observe any markings on the videotape or the video camera. After items were removed from the mishap aircraft's cockpit, I told Carabinieri personnel present that I wanted all of the items taken out, to go back into the cockpit. The Carabinieri personnel wanted the film from the 35 mm camera developed and the videotape reviewed and I recommended we take both to the Photo Lab on base the next day. The Carabinieri reluctantly agreed.

I then began pulling items out of the navigator bags. If the Carabinieri wanted something, we would be careful to document specifically where they pulled it from in the cockpit of the mishap aircraft. The Carabinieri were very impatient and did not want to examine all of the contents of the navigator bags. They kept telling me they were only interested in maps. When we did find maps, they wanted to know if any of the maps in the mishap aircraft cockpit had the Cermis cable car system identified. I removed everything out of the navigator bags one by one, and we documented what was removed out of the bags and what things were put back in the airplane, trying to keep in mind an evidence chain of custody. The Carabinieri removed five (5) items from the mishap aircraft, three (3) of the five (5) items were maps and the other two (2) items were pieces of paper taken out of the Navigator books. The maps taken out were the large, color, topographical type.

Of the two (2) pieces of paper taken out of the Navigator books, one was an 8 ½ x 11 inch piece of paper; however, I cannot recall what was written on one of the two (2) pieces of paper. According to Capt [REDACTED] the two (2) pieces of paper included Emergency Coordinates and also included Aircraft Aid information. In the bottom right hand corner of one of the pieces of paper was written: 1000 foot minimum above ground level altitude when flying during the winter months-01NOV -01APR. I was able to assist in making true and original copies of the items for the Carabinieri. This was a very lengthy process which took approximately one (1) hour and a half (1/2) to accomplish.

We documented everything that was taken off the mishap aircraft and provided same to LtCol [REDACTED] JSMC, Commanding Officer (CO), VMAQ-2, and Major [REDACTED] USMC, who was with the Mishap Investigation Board at the Safety building, Aviano Air Base, Aviano, IT. I provided the information to them and also told the Board I had found a camera and a video camera in the mishap aircraft's cockpit. LtCol [REDACTED] took the certified copies of the maps and examined them. He found the "aerial cableway" marking and commented that it was not where the accident occurred. I told him there appeared to be photos taken from the still camera, but that the videotape did not appear to be used. LtCol [REDACTED] responded that no videotape had been taken.

On the following day, 05FEB98, I was told U.S. personnel (I can't recall any names), Carabinieri personnel, Col [REDACTED] Italian Air Force, Commanding Officer of Aviano Air Base, Aviano, IT, went to the Mishap aircraft and retrieved the cameras. Again, regarding the search and seizure of the items in the mishap aircraft as described above, TSGT MOSS prepared documentation related to same and provided it to the Mishap Investigation Board chaired by Maj Gen [REDACTED]. This documentation should itemize those items I identified above as being taken by the Carabinieri and where they were seized from the mishap aircraft. I do not have any documentation related to this event. The three (3) maps taken by the Carabinieri were all identical and they included coordinates on the map. My review of the maps, I did not see the identification of cities; however, I did observe mountains, lakes, etc.. The other maps in the mishap aircraft were of Northern Africa, but the Carabinieri did not want them. One other item of note was the fact the mishap aircraft was moved from one hangar to another. I am not sure where the mishap aircraft started out, but it was moved on 04FEB98. There was some difficulty in finding a hangar for the mishap aircraft as some of the hangars were being utilized. This statement, consisting of this page and three (3) others was typed for me by Special Agent [REDACTED] as we discussed it's 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.

Maj [REDACTED], USAF

date: time:

Sworn to and subscribed before me this day of May, 1998 at Aviano Air Base, Aviano,
IT.

Special Agent, U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
AUTH: SECNAVINST 5520.3B of 04JAN93

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

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

DATE: 05MAY98

PLACE: Aviano AFB, Italy

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

Ssgt USAF, make the following free and voluntary statement to NCIS (b)(6), (b)(7)(C) whom I know to be an Agent of the United States Naval Criminal Investigative Service. I make this statement of my own free will, without any threats made to me or promises extended. I fully understand this statement is given concerning my observations on 03FEB98 in conjunction with the EA-6B mishap NCIS (b)(6), (b)(7)(C)

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

for identification purposes I am NCIS (b)(6), (b)(7)(C) born on NCIS (b)(6), (b)(7)(C) I stand NCIS (b)(6), (b)(7)(C) tall, weigh NCIS (b)(6), (b)(7)(C) and have NCIS (b)(6), (b)(7)(C) hair and NCIS (b)(6), (b)(7)(C) eyes. My social security number is NCIS (b)(6), (b)(7)(C) I am presently assigned to the Pavements and Equipment department at Aviano AFB, Aviano, NCIS (b)(6), (b)(7)(C)

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

On 03FEB98, I was the "Sweeper Operator" when the EA-6B Prowler from the mishap flight landed. As a sweeper operator, my duties are to sweep up any foreign objects on the airfield or repair damage to the airfield when an aircraft takes a barrier or makes an emergency landing. I set my truck up at the fire department and waited for the EA-6B to take the barrier. Once the barrier was engaged, I positioned my sweeper approximately 50 yards away from the aircraft. I observed the crew egress. The back seaters exited first and I saw one fall to the ground. They then ran forward and lowered the steps for the front seat crew. I did not notice anything in their hands when they left the aircraft. The rescue team was positioned at the nose of the aircraft and I was off to the side. EOD arrived on the scene and had the aircrew and all other personnel back off. Ssgt NCIS (b)(6), (b)(7)(C) who is responsible for barrier maintenance told me he spoke to the crew to obtain aircraft weight and speed upon engaging the barrier. Ssgt NCIS (b)(6), (b)(7)(C) that the crew appeared to be nervous and when asked what they hit, they did not reply. I had no contact with the aircrew who had been moved to another area with other Marines or the Rescue Crew NCIS (b)(6), (b)(7)(C)

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

Once EOD did their job and the aircraft was determined to be safe, I observed USMC crew chiefs and/or maintenance personnel enter the cockpit. This was while the aircraft

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

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

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was still in the resting position at the barrier and had not been moved. I believe they entered the aircraft so the tug could tow them to taxiway Bravo. I did not see anyone from the aircrew regain access to the EA [redacted] (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I have read and understand this statement, consisting of this page and one other which
NCIS (b)(6), (b)(7)(C) typed for me as we discussed its' contents. I have made and initialed any
corrections. This statement is accurate and true to the best of my knowledge and belief. [redacted] (b)(6), (b)(7)(C)

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

5 May 98

Subscribed and sworn to before me this 5th day of May 1998 at Aviano AFB, Italy

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

05 MAY 98

Naval Criminal Investigative Service

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

On 05 May 1998, reporting agent interviewed BRIG GEN [REDACTED] USAF, Commander, 31st Fighter Wing, Aviano Air Base, Italy, regarding captioned investigation. Following the interview, General [REDACTED] agreed to provide RA with a sworn statement concerning the material discussed. RA drafted such a statement utilizing the notes and interview results, and provided it to General [REDACTED] for review and signature at the beginning of the work day, 06 May 1998. By close of business, 07 May 1998, [REDACTED] still not signed the document and Ms. [REDACTED] advised RA that the General still wanted to review his statement with legal counsel prior to executing the statement. At this time, RA was advised to document the interview in an investigative action for informational purposes for trial counsel.

General [REDACTED] advised he first heard of the mishap flight when it was originally called in as an in-flight emergency (IFE), and that it was going to take a barrier. As this sort of a call came to his attention about once a month or so, General [REDACTED] advised it was not originally anything to get excited about. He paid no undue attention to it until after the aircraft safely landed at which time he was made aware that the aircraft had hit something. COL [REDACTED] who has subsequently transferred to Ramstein Air Base, Germany, was involved deeply in the matter from the beginning, and General [REDACTED] advised it was Colonel [REDACTED] who had responded to the runway and kept General [REDACTED] briefed as events took place.

The VMAQ-2 Detachment Commander was LTCOL [REDACTED] USMC. Regarding this incident, General [REDACTED] stated LTCOL [REDACTED] first arrived in his office at about 1615 or 1630 or so, 03 February 1998, and General [REDACTED] had asked him "what kind of things were they doing" and so forth. LTCOL [REDACTED] told General [REDACTED] it had been a training mission and that they had had a squadron brief and the Aircrew Aid. General [REDACTED] stated he said something to LTCOL [REDACTED] about the FCIF (Flight Crew Information File) from last year, clearly referring to the one which set the minimum altitude at 2000' AGL (above ground level). LTCOL [REDACTED] was apparently surprised about the FCIF and did not say anything about it one way or the other. General [REDACTED] recalled he was very uncomfortable with LTCOL [REDACTED] response but did not press him on the issue. General [REDACTED] advised that he believed he might have asked LTCOL [REDACTED] to look into it, but was uncertain. Either way, LTCOL [REDACTED] returned to the General's office a short while later with additional information.

EXHIBIT ()

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General (b)(6), (b)(7)(C) advised it was approximately one and a half to two hours later when LTCOL (b)(6), (b)(7)(C) returned to the General's office. At this time LTCOL (b)(6), (b)(7)(C) told the General that the FCIF (regarding the 2000' minimum altitude requirement) was in their pubs (meaning the Detachment's books). When LTCOL (b)(6), (b)(7)(C) said this, there were other people around General (b)(6), (b)(7)(C) office, but General (b)(6), (b)(7)(C) could not state if they heard LTCOL (b)(6), (b)(7)(C) or not, since LTCOL (b)(6), (b)(7)(C) directed his comment to General (b)(6), (b)(7)(C). The General did not push the issue with him nor ask him detailed questions about it, citing he was concerned about "undue command influence" and not wanting to interfere with the incident board's investigation, which the General had already initiated by that time. Also, prior to LTCOL (b)(6), (b)(7)(C) returning to General (b)(6), (b)(7)(C) office, COL (b)(6), (b)(7)(C) had provided the General with a copy of the Aircrew Aid. General (b)(6), (b)(7)(C) reviewed it to refresh his knowledge that in spite of the FCIF, and prior to the FCIF's publication, the minimum was set in black and white at 1000' in winter months or when snow was present. LTCOL (b)(6), (b)(7)(C) had already confirmed for General (b)(6), (b)(7)(C) the Detachment had the Aircrew Aid. He did discuss the Aid with LTCOL (b)(6), (b)(7)(C) at this time, briefly, and LTCOL (b)(6), (b)(7)(C) was in the General's opinion unfamiliar with it setting the minimum altitude at 1000', although LTCOL (b)(6), (b)(7)(C) did not so state directly. The General advised they also discussed and LTCOL (b)(6), (b)(7)(C) told him that the Detachment maintained the Marine Corps version of what the Air Force calls a "go/no go" system. This was described as a monthly "read and initial log" requiring the aircrews to be familiar with all applicable flying regulations. Again, because of the General's position, he did not ask LTCOL (b)(6), (b)(7)(C) detailed questions about their log or attempt to address specifics regarding the mishap crew. Further, the General opined LTCOL (b)(6), (b)(7)(C) had enough on his mind at this time and knew he was going to be questioned by many people for official reasons, so he changed the subject. General (b)(6), (b)(7)(C) asked him questions about things the Detachment may need and offered services from the base such as Chaplains, medical, and so forth.

Prior to LTCOL (b)(6), (b)(7)(C) return to General (b)(6), (b)(7)(C) office, he learned from LTGEN (b)(6), (b)(7)(C) who apparently heard first from CNN or the local media, that a cable car had crashed as a result of the mishap flight. Shortly after receiving that information, General (b)(6), (b)(7)(C) saw the CNN report himself. Also, around 1545 or so, General (b)(6), (b)(7)(C) set up the interim accident board (IAB), and tasked COL (b)(6), (b)(7)(C) his vice-commander, with getting that going. General (b)(6), (b)(7)(C) believed that a Marine Officer was made part of the IAB (this was later confirmed by RA to be Major (b)(6), (b)(7)(C) USMC). General (b)(6), (b)(7)(C) advised he made an effort to get the IAB to Cavalese that night but was unable to do so. This was attempted via the U. S. Consulate in Milan. General (b)(6), (b)(7)(C) stated there were many logistical obstructions as well as the fact that local authorities did not want the military there. However, the USAF managed to make this happen the following day utilizing an Italian helicopter. General (b)(6), (b)(7)(C) did not participate in that but was told that the accident scene had not been preserved and that Italian authorities were all over the scene.

The following morning, LTCOL (b)(6), (b)(7)(C) was back in the General's office at about 0800, or shortly before that. At this time General (b)(6), (b)(7)(C) described LTCOL (b)(6), (b)(7)(C)

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as appearing very sullen and had a sort of shell shocked appearance about him. LTCOL NCIS (b)(6), (b)(7)(C) approached the General in the outer area of his office, near the front door. While others were around, LTCOL NCIS (b)(6), (b)(7)(C) spoke directly to the General and he was unaware if anyone else heard him speak. At this time, LTCOL NCIS (b)(6), (b)(7)(C) stated to General NCIS (b)(6), (b)(7)(C) "I went back last night and I talked to all the pilots and everyone except the incident pilot said they knew about the 2000' restriction." LTCOL NCIS (b)(6), (b)(7)(C) did not say what the pilot said about it, if anything at all. As the General believed the altitude restrictions were essentially a moot point now, among other reasons, he did not ask LTCOL NCIS (b)(6), (b)(7)(C) any more about it. General NCIS (b)(6), (b)(7)(C) then focused attention to issues such as "how are your guys doing?" and if he needed any help with anything. LTCOL NCIS (b)(6), (b)(7)(C) advised that the crew was doing as well as can be expected under the circumstances.

Either on the afternoon or evening of 04 FEB 1998, General NCIS (b)(6), (b)(7)(C) learned that General NCIS (b)(6), (b)(7)(C) USMC, was coming to Italy and that the Marines were setting up their own investigative board. General NCIS (b)(6), (b)(7)(C) was due to arrive on Thursday morning but due to inclement weather INCONUS did not arrive in Aviano until 06 FEB 1998. At that time, the Air Force IAB information was turned over to the Marine Corps board. General NCIS (b)(6), (b)(7)(C) recalled that on that Friday and possibly also on that Saturday, the USAF arranged transportation for the Marine board to go to the accident scene near Cavalese. General NCIS (b)(6), (b)(7)(C) attention regarding this matter was focused on handling the local politicians and the media.

General NCIS (b)(6), (b)(7)(C) recalled that after General NCIS (b)(6), (b)(7)(C) arrived he welcomed General NCIS (b)(6), (b)(7)(C) and his staff and offered logistical assistance from the base. COL NCIS (b)(6), (b)(7)(C) designated as the point of contact from the IAB and provided details of the IAB's efforts and a full briefing of the incident. Logistics were arranged for the Marines to begin their JAG investigation, and they set to work. General NCIS (b)(6), (b)(7)(C) assumed the Marines would interview him, not because of the conversations he had with LTCOL NCIS (b)(6), (b)(7)(C) which they would not necessarily have known about, but rather because of his position here on base. General NCIS (b)(6), (b)(7)(C) had counted on making the Marine board aware of the conversations he had with LTCOL NCIS (b)(6), (b)(7)(C) when he was interviewed, but never was afforded the chance. Subsequently, General NCIS (b)(6), (b)(7)(C) contacted General NCIS (b)(6), (b)(7)(C) and made him aware of the information, but still was not interviewed. Ultimately, the board requested General NCIS (b)(6), (b)(7)(C) provide them with a statement, which was drafted and reviewed by his SJA, then provided to the board. The board never contacted General NCIS (b)(6), (b)(7)(C) about the written unsworn statement. He advised he later received a call from an unidentified Colonel on the Marine's board who simply advised General NCIS (b)(6), (b)(7)(C) that LTCOL NCIS (b)(6), (b)(7)(C) had been questioned about this and did not remember saying those things. This Colonel likewise did not interview General NCIS (b)(6), (b)(7)(C) or ask any clarifying questions at all. General NCIS (b)(6), (b)(7)(C) got involvement regarding that information was when he saw it essentially dismissed in the JAG investigation as a misunderstanding, which General NCIS (b)(6), (b)(7)(C) knew was not the case. General NCIS (b)(6), (b)(7)(C) reiterated he knew what he heard from LTCOL NCIS (b)(6), (b)(7)(C) and there was no misunderstanding at all. Additionally, he later learned that the JAG investigation had similarly dismissed as a misunderstanding a situation between LTCOL NCIS (b)(6), (b)(7)(C) General

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NCIS (b)(6), (b)(7)(C) and COL (b)(6), (b)(7)(C) discussed this point in March 1998 after the JAG's results were made public.

Before the JAG report was published, General (b)(6), (b)(7)(C) provided a draft copy, which he read and with which he took exception on certain wording. He advised he spoke with General (b)(6), (b)(7)(C) on this and in some cases General (b)(6), (b)(7)(C) made changes and in other cases he did not. He noted General (b)(6), (b)(7)(C) was not argumentative and heard General (b)(6), (b)(7)(C) state to his reasons for the exceptions, regardless of whether he made the changes or not. General (b)(6), (b)(7)(C) felt the draft slanted fault towards the USAF, in regards to briefing responsibilities.

General (b)(6), (b)(7)(C) advised RA that while there is nothing in writing regarding briefing responsibilities of the host unit towards visiting deployed units, such as the Marine Detachment, General (b)(6), (b)(7)(C) advised it is his opinion that it is the Air Force' responsibility to provide them. Likewise, it is the deployed unit's responsibility to attend those briefings. General (b)(6), (b)(7)(C) stated that Standardization and Evaluation (STANEVAL) provided all requested and required briefings. STANEVAL offered and provided all briefings to these units, including the low level briefs. He further stated that regardless of whether or not a deployed unit attends a low level brief, which they should, they are still provided with an Aircrew Aid that spells out in black and white the minimum altitude restrictions. Additionally, Chapter 8, pilot operational procedures, from the Major Command Instruction, further defines the low level restrictions. MAJOR (b)(6), (b)(7)(C) USAF previously provided a copy of Chapter 8 to NCIS, from STANEVAL.

Regarding the FCIF mentioned above, General (b)(6), (b)(7)(C) recalled it was issued in AUG97 by COL (b)(6), (b)(7)(C) following receipt of an official message from the Italian government that restricted specific local airspace to 2000' minimum altitude, the airspace in which the mishap occurred. General (b)(6), (b)(7)(C) advised the DGOC (Deliberate Guard Operations Center) disseminated that FCIF to all concerned units on base, one of which would have been the Marine Corps Detachment. Admittedly, General (b)(6), (b)(7)(C) stated the tracking of DGOC dissemination was poor, but it is extremely likely that the Marines received this FCIF through normal channels. Either way, General (b)(6), (b)(7)(C) advised he knew it was received because LTCOL (b)(6), (b)(7)(C) had told him. In any event, the General recalled the FCIF information was further briefed at the weekly Thursday DGOC standup, at which a Marine Detachment representative would have been present. Though not necessarily attended by the DET CO himself, these standups were attended by some command representative, who would have been responsible for back briefing his command on information learned during the standups. General (b)(6), (b)(7)(C) recalled the only time a Marine representative was not present at a standup was one time around NOV97, to the best of his knowledge. Further, General (b)(6), (b)(7)(C) advised the issue of low level altitudes was very political in this area, and it therefore may have been briefed at subsequent DGOC meetings as well, as it was "big news." He did not recall personally having any conversations with any Marine Corps personnel about the FCIF between the time it was published and the time of the mishap.

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General (b)(6), (b)(7)(C) reiterated that the subject was briefed during DGOC stand ups and he had no recollection of any arguments or dissenting opinions from the Marine Corps representative.

Since assuming command at Aviano last JUL97, General (b)(6), (b)(7)(C) advised he is aware of the base receiving noise complaints, but the only one that came to his attention was one in AUG97 via COL (b)(6), (b)(7)(C) told General (b)(6), (b)(7)(C) the Marine Corps Detachment Commander, then LTC (b)(6), (b)(7)(C) was handling it. He had no other knowledge or involvement regarding past low level complaints.

BIOGRAPHICAL DATA:

NAME: BRIGADIER GENERAL (b)(6), (b)(7)(C) USAF

SSN: (b)(6), (b)(7)(C)

DPO: (b)(6), (b)(7)(C)

DUSTA: 31ST FIGHTER WING USAF, COMMANDER, AVIANO, ITALY

WORK TELEPHONE: DSN: (b)(6), (b)(7)(C)

Reporting Agent: (b)(6), (b)(7)(C)

Office: NCISFO Naples, Italy

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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: REVIEW OF VMAQ-4 SQUADRON E-MAIL SERVER AND PROCEDURES

On 05MAY98, reporting agent contacted Major [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, Aviano Air Base Deputy Staff Judge Advocate, in regards to the legality of searching a command computer system for emails of probative value. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that if the computer systems were U.S. Government computer systems then there were no privacy act concerns to impede investigators in the search of those systems.

On 05MAY98, reporting agent and Special Agent [REDACTED] NCIS (b)(6), (b)(7)(C) approached LCOL [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, Commanding Officer of VMAQ-4, and explained that we would like to examine the computer systems that CAPT [REDACTED] NCIS (b)(6), (b)(7)(C), CAPT [REDACTED] NCIS (b)(6), (b)(7)(C), CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) and CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, used to send emails following the 03FEB98 EA-6B mishap. [REDACTED] NCIS (b)(6), (b)(7)(C) stated the computers used by the squadron (and by the mishap aircrew while they were retained in Italy) were U.S. Government (USMC) computer systems and identified two computers in the VMAQ-4 administration spaces. [REDACTED] NCIS (b)(6), (b)(7)(C) explained that the mishap aircrew, like the majority of the Marines deployed to Aviano Air Force Base, used the Marine Corps-wide email system called "Banyan Vines". [REDACTED] NCIS (b)(6), (b)(7)(C) then briefly demonstrated the Banyan Vines email program. [REDACTED] NCIS (b)(6), (b)(7)(C) was familiar with the Banyan Vines email process but not very familiar with how the Banyan Vines program worked administratively (how it saved emails, etc.). [REDACTED] NCIS (b)(6), (b)(7)(C) then called for CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, a VMAQ-4 ECMO and the squadron Information Systems Coordinator (ISC). [REDACTED] NCIS (b)(6), (b)(7)(C) gave reporting agent and Special Agent [REDACTED] NCIS (b)(6), (b)(7)(C) permission to search the VMAQ-4 computer systems.

[REDACTED] NCIS (b)(6), (b)(7)(C) arrived and then explained how the VMAQ-4 network and the Banyan Vines program operated. [REDACTED] NCIS (b)(6), (b)(7)(C) explained that there are two U.S. Government network server computers attached to the VMAQ-4 network in Aviano Air Base. [REDACTED] NCIS (b)(6), (b)(7)(C) explained that the Banyan Vines program stores all emails on the server hard drives and not on the hard drives on the individual computer systems used to access the server. (Therefore they would be no emails on the hard drives of the U.S. Government computer systems the mishap aircrew used to compose their emails. All emails are retained only on the two U.S. Government computer network servers.)

[REDACTED] NCIS (b)(6), (b)(7)(C) then attempted to determine whether any of the emails from [REDACTED] NCIS (b)(6), (b)(7)(C) still existed on the squadron's network

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server computer hard drive. As the system administrator for the VMAQ-4 network, NCIS (b)(6), (b)(7)(C) was able to query the entire mail server for any available information related to the mishap aircrew. NCIS (b)(6), (b)(7)(C) searched both computer server hard drives for email accounts belonging to the mishap aircrew and could not find any. NCIS (b)(6), (b)(7)(C) unsuccessfully searched for any email accounts for the mishap aircrew and CAPT NCIS (b)(6), (b)(7)(C) USMC NCIS (b)(6), (b)(7)(C) was not surprised that he could not find email accounts for the mishap aircrew and explained that it was squadron procedure to erase member email accounts immediately after the member left the squadron. NCIS (b)(6), (b)(7)(C) thought the accounts were deleted approximately one and a half months ago. NCIS (b)(6), (b)(7)(C) stated that he believes all accounts for the mishap aircrew were removed from the squadron's computer server hard drives the Monday following their departure from Italy. NCIS (b)(6), (b)(7)(C) was not asked to search the computer server hard drive for any emails from the mishap aircrew to the VMAQ-4.

In response to questions about squadron back-up procedures, NCIS (b)(6), (b)(7)(C) responded that daily and weekly back-ups are made of the squadron server hard drives. NCIS (b)(6), (b)(7)(C) stated, however, that the system had been backed up numerous times since the email accounts for the mishap aircrew had been deleted and consequently any information relating to the mishap aircrew that was on those back-up tapes had since been overwritten. NCIS (b)(6), (b)(7)(C) stated that the daily back-up tapes are recycled once per week and that the weekly back-up tapes are completely cycled every three weeks. NCIS (b)(6), (b)(7)(C) did add that the weekly back-ups had not been performed for approximately two weeks because the squadron tape back-up machine broke, but NCIS (b)(6), (b)(7)(C) felt certain that even the oldest available back-up tape would not have any information regarding the deleted mishap aircrew email accounts.

NCIS (b)(6), (b)(7)(C) then called for the VMAQ-4 Assistant ISC, Corporal NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) USMC NCIS (b)(6), (b)(7)(C) stated that he had personally been involved in deleting the mishap aircrew email accounts after they left the squadron for the United States. NCIS (b)(6), (b)(7)(C) added that before he deleted the email accounts he forwarded copies of all emails in those accounts to the system administrator for VMAQ-2 in Cherry Point, N.C., (for NCIS (b)(6), (b)(7)(C) and to G1 for NCIS (b)(6), (b)(7)(C) stated that the points of contact for the VMAQ-2 computer systems are CAPT NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) USMC, (DSN NCIS (b)(6), (b)(7)(C) and SSGT NCIS (b)(6), (b)(7)(C) USMC, (DSN NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) thought that these individuals would be able to access the aircrew's accounts if they still existed or they might have separate back-up tapes which could be used to reconstruct their accounts.

NCIS (b)(6), (b)(7)(C) so quickly reviewed all available command back-up tapes to determine whether or not any of the tapes were old enough to have any pertinent information. NCIS (b)(6), (b)(7)(C) determined that all of the tapes were too recent to contain any information on the mishap aircrew's deleted email accounts.

NCIS (b)(6), (b)(7)(C) were all very cooperative during the review of the squadron computer systems.

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

CCN: 15APR98-0023-0036-7HMS

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

On 05MAY98, [REDACTED] NCIS (b)(6), (b)(7)(C) was interviewed by Intelligence Operations Specialists [REDACTED] NCIS (b)(6), (b)(7)(C) regarding his knowledge of translating an Italian television newscast pertaining to the EA-6B mishap of 03FEB98.

[REDACTED] NCIS (b)(6), (b)(7)(C) recalled the newscast which aired while having lunch at his work space a few days following the EA-6B mishap flight. [REDACTED] NCIS (b)(6), (b)(7)(C) confirmed that he translated into english what the newscaster said to Sgt [REDACTED] NCIS (b)(6), (b)(7)(C) and others USAF personnel present. [REDACTED] NCIS (b)(6), (b)(7)(C) disclosed that the newscaster reported the mayor of Cavalese complained of low-level military flights over the town, however, there was no reference to aircraft flying under the cable car system at Cermis.

BIOGRAPHICAL DATA

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

DOB [REDACTED]

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

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

OFFICE: NCISFO EUROPE

DATE TYPED: 05MAY98

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

CCN: 15APR98-0023-0036-7HMS

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

On 05May98, SRA [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, was interviewed by reporting and participating agents aboard Aviano Air Base, Aviano, Italy [REDACTED] (b)(6), (b)(7)(C) was interviewed concerning a mishap involving an EA-6B Prowler aircraft and a cable [REDACTED] (b)(6), (b)(7)(C) specifically questioned concerning the physical security of the mishap aircraft after it returned from the incident in question.

[REDACTED] (b)(6), (b)(7)(C) assigned with the 31st Security Force Squadron (SFS). His duties include providing physical security to various facilities on base [REDACTED] (b)(6), (b)(7)(C) worked on 04Feb98, the day after the mishap. At approximately 1400 he was posted in a small roped-off perimeter (approximately 25-50 foot radius) around the aircraft in Hangar #2 on base.

During [REDACTED] (b)(6), (b)(7)(C) shift, The base Staff Judge Advocate and an unidentified Italian Carabinieri official were observed to climb the side ladder leading to the aircraft's canopy. They did not physically get into the canopy, but examined its interior while standing out on the ladder wrung. The interior was examined for approximately 15 minutes. The SJA and Carabinieri then brought out two fanny-pack type items. The contents of the packs were emptied onto a table. As far as [REDACTED] (b)(6), (b)(7)(C) can recall, several maps, and charts were taken out and displayed. Also taken out of the aircraft were an unknown quantity of journals/notebooks, and a VHS-type video tape. All items were displayed on a large table in the hangar, inventoried and photographed. According to [REDACTED] (b)(6), (b)(7)(C) there were many U.S. and Italian officials to witness this.

The contents displayed on the table were then packed up by Italian officials, and taken away by them to an unknown location, according to [REDACTED] (b)(6), (b)(7)(C)

Sometime later during [REDACTED] (b)(6), (b)(7)(C) shift, the aircraft was towed to another location, "ZEP 1" - a hardened aircraft shelter on base. The towing was witnessed part of the way by [REDACTED] (b)(6), (b)(7)(C) personnel accessed the aircraft cockpit during that part of the move that was witnessed.

[REDACTED] (b)(6), (b)(7)(C) stayed behind at Hangar #2 for approximately 1-2 hours. He and his security detachment (himself, a U.S. Marine assigned to them, and an Italian Carabinieri) were driven to the ZEP 1 area. As he arrived [REDACTED] (b)(6), (b)(7)(C) witnessed Italian officials lock the main hangar doors, as well as the pedestrian door with locks. According to [REDACTED] (b)(6), (b)(7)(C) Italian officials are the only ones who have keys to these locks [REDACTED] (b)(6), (b)(7)(C) finished his shift at this area, at approximately 2200.

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NCIS (b)(6), (b)(7)(C) stated he did not see the aircrew of the mishap craft during his security shift, nor did any unauthorized personnel attempt to gain access to the plane NCIS (b)(6), (b)(7)(C) no additional contact with the mishap aircraft after this security shift. He was posted to his normal duties afterward.

BIOGRAPHICAL DATA

SSN [REDACTED]

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

POB [REDACTED]

Security clearance: Secret

Participating Agent: NCIS (b)(6), (b)(7)(C) NCISRA Sigonella, Italy

Reporting Agent: NCIS (b)(6), (b)(7)(C)

Office: NCISFO Naples, Italy

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

CCN: 15APR98-0023-0036-7HMS

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

On 05May98, SRA [REDACTED] USAF, was interviewed by reporting and participating agents aboard Aviano Air Base, Aviano, Italy. [REDACTED] was interviewed concerning the events surrounding a mishap involving an EA-6B Prowler aircraft and a cable car. [REDACTED] specifically questioned concerning possible information he may have concerning the physical security of the mishap aircraft after it landed.

[REDACTED] member of the 31st Security Force Squadron (SFS), Aviano Air Base. His duties include providing physical security for the various facilities on the base. [REDACTED] was on duty 04Feb98, the day after the mishap. He reported for duty on 0530, and was told to proceed to Hangar #2 on base, where the mishap aircraft was being kept. When he arrived at the hangar, he was briefed that no unauthorized personnel were to have access to, or take photographs of the aircraft.

The aircraft was observed [REDACTED] in the middle of the hangar, roped off within an approximate 25 foot radius. [REDACTED] observed approximately 30-50 Italian Carabinieri officials, and many American officials. Although the interviewee did not recognize all American personnel, he did observe the Commanding Officer (CO) of the Aviano Air Base, [REDACTED] and General [REDACTED].

[REDACTED] security team consisted of himself, a U.S. Marine assigned as security, and to Carabinieri personnel. [REDACTED] does not recall the name of the Marine. His team was positioned at various points around the mishap aircraft; all team members were within sight of each other.

Sometime during [REDACTED] shift, Colonel [REDACTED] the CO, was concerned about an apparent fuel leak on the mishap aircraft. [REDACTED] observed an unidentified liquid leaking out of the plane. A U.S. Marine aircraft Crew Chief, unknown [REDACTED] was ordered to examine the leak. The crew chief was intensely scrutinized by the Italian officials as he examined the craft. [REDACTED] did not observe the crew chief go near the cockpit. All examinations were done near the right wing area of the aircraft, as far as [REDACTED] could tell.

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During his shift, [REDACTED] was not approached by anyone attempting to gain access to the aircraft. [REDACTED] ended his shift at approximately 1400-1430, just before the aircraft was moved to another location. He did not witness the transfer of the mishap aircraft to another location.

BIOGRAPHICAL DATA

SSN [REDACTED]

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

POB [REDACTED]

Security clearance: Secret

Participating Agent: [REDACTED] NCIS (b)(6), (b)(7)(C) NCISRA Sigonella, Italy

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

Office: NCISFO Naples, Italy

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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: RESULTS OF INTERVIEW (CAPTAIN [REDACTED] AND CORPORAL [REDACTED] USMC)

On 06MAY98, reporting agent interviewed CAPT [REDACTED] USMC, and Corporal [REDACTED] USMC, at the USMC VMAQ-4 administrative spaces at Aviano Air Force Base, Italy. [REDACTED] were interviewed with regards to an email received by NCIS from Major [REDACTED] USMC, Assistant 2nd Marine Air Wing (2DMAW) G-6. In his email, Major [REDACTED] states that a NCIS Agent requested that VMAQ-4 at Aviano Air Force Base change their system passwords to facilitate NCIS retrieving emails from the server.

[REDACTED] the VMAQ-4 Information Systems Coordinator (ISC), stated that he was not aware of any request made by NCIS to change the VMAQ-4 passwords and that he had not spoken with [REDACTED], a 2DMAW computer specialist temporarily assigned to VMAQ-4 as the Assistant ISC in Aviano, stated that after speaking with NCIS on 05MAY98, he called back to the 2DMAW computer personnel to retrieve the current 2DMAW "superuser" password. [REDACTED] added that as a 2DMAW computer specialist he has access to the "superuser" password which allows for access to all of the Cherry Point networks for maintenance and administration purposes. [REDACTED] stated that during his conversation with the 2DMAW personnel there must have been some miscommunication which led [REDACTED] email.

Both [REDACTED] were told that there is no NCIS requirement to change the server system passwords or for VMAQ-4 to alter any of their computer systems. During the interview, reporting agent asked [REDACTED] if he could review the VMAQ-4 network server backup tapes one more time to determine whether any of the backup tapes contained any pertinent information.

[REDACTED] explained that VMAQ-4 uses two UNIX-based network servers to handle their network needs in Aviano. [REDACTED] stated that the network servers are designated "DFV2DMAWISMO1" and "CPY2DMAWVMAQ-4". [REDACTED] added that server DFV2DMAWISMO1 is the network server that remains in Aviano for each of the USMC deployments to use and that server CPY2DMAWVMAQ-4 is a server that was brought to Aviano by VMAQ-4. MENDINI stated that the computer hard drives for both servers are generally backed up each night and that weekly backups are also often made. MENDINI had in his possession nine backup tapes for DFV2DMAWISMO1 and six backup tapes for CPY2DMAWVMAQ-4.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NCIS (b)(6), (b)(7)(C) viewed the network server backup tapes in the presence of reporting agent and determined that there was only one backup tape that could possibly contain any pertinent information. The tape in question, labeled "224-07 Wednesday", was a partial backup tape of server DFV2DMA WISMO1 from 05FEB98. A review of the contents of backup tape "224-07 Wednesday" showed only system administration related files. The backup tape "224-07 Wednesday" does not include a backup of the email system from 05FEB98, but a forensic review of the tape might provide information from previous backups that were not overwritten. Tape "224-07 Wednesday" was seized on 06MAY98 from NCIS (b)(6), (b)(7)(C) and entered into the NCISFO Europe Evidence Custody System. The tape was produced using the Unix computer operating system and will have to be analyzed using Unix analysis tools. A directory of tape "224-07 Wednesday" is appended as enclosure (1).

In a prior conversation on 05MAY98, NCIS (b)(6), (b)(7)(C) explained that the Monday following the departure of the mishap aircrew for the United States (in mid-March 1998) the email accounts of the mishap aircrew were deleted from the network server hard drives. They explained that it is standard operating procedure to delete a member's email account when they transfer from the squadron. Therefore, they added, any backup tapes of the network server made after mid-March 1998 would not contain any email information for the mishap aircrew.

The dates and contents of the other VMAQ-4 backup tapes for network server DFV2DMA WISMO1 are as follows:

"Sunday" contains a full backup of the server, dated 20APR98
"Monday" contains a full backup of the server, dated 04MAY98
"Tuesday" contains a full backup of the server, dated 05MAY98
"Wednesday" contains a full backup of the server, dated 29APR98
"Thursday" contains a full backup of the server, dated 03MAY98
"Friday" contains a full backup of the server, dated 24APR98
"Saturday" contains a full backup of the server, dated 28APR98
"FS Vines Patches" contains Banyan Vines File Server Software Patches, dated 27AUG96

The dates and contents of the VMAQ-4 backup tapes for network server CPY2DMA WVMAQ-4 are as follows:

"Monday" contains a full backup of the server, dated 06APR98
"Tuesday" contains a full backup of the server, dated 08APR98
"Thursday" contains a full backup of the server, dated 09APR98
"Friday #1" contains a full backup of the server, dated 03APR98
"Friday #4" contains a full backup of the server, dated 27MAR98

One of the CPY2DMA WVMAQ-4 backup tapes is currently jammed into the tape player and therefore not accessible. The backup tape has been jammed in the tape drive for approximately two weeks. The VMAQ-4 personnel are currently in the process of trying to remove the backup tape from the tape drive without destroying the tape.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

According to the VMAQ-4 computer personnel, the tape lodged in the tape drive is the most recent backup of the CPY2DMAWVMAQ-4 server and would therefore probably not contain any email information dating back to the mid-March 1998 timeframe. Once the tape is successfully retrieved VMAQ-4 computer personnel will notify reporting agent of the tape's contents.

NCIS (b)(6), (b)(7)(C) also stated that just prior to the departure of the VMAQ-2 squadron in mid-February, NCIS (b)(6), (b)(7)(C) made four complete backups of the VMAQ network server hard drive. These backup tapes were given to the VMAQ-2 computer personnel identified as SSGT NCIS (b)(6), (b)(7)(C) USMC, and SSGT NCIS (b)(6), (b)(7)(C) USMC. NCIS (b)(6), (b)(7)(C) stated that any one of these backup tapes could be used to retrieve the entire mail service directory that was present as of the mid-February backup date. NCIS (b)(6), (b)(7)(C) also stated that VMAQ-2 might also have additional network computer server hard drive backup tapes which could provide access to other emails. In a previous conversation on 05MAY98, NCIS (b)(6), (b)(7)(C) stated that immediately after the mishap aircrew left Italy for the United States (around mid-March 1998) he forwarded the contents of their VMAQ-4 temporary email accounts to the VMAQ-2 computer personnel. (The mishap VMAQ-2 aircrew were assigned temporary VMAQ-4 email accounts after VMAQ-2 left Aviano Air Base, Italy.) Therefore additional emails generated or retrieved by the mishap aircrew after the departure of the main VMAQ-2 contingent in mid-February 1998 could be on the VMAQ-2 backup tapes from mid-March 1998.

Enclosures

(1) Directory of backup tape "224-07 Wednesday"

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WEDNESDAY

Volume in drive E is FS ADMIN AP
Directory of E:\

224-07

.	<DIR>		03-04-98	9:25a
	<DIR>		03-04-98	9:25a
	<DIR>		03-04-98	9:00a
COEXEC BAT		290	03-02-98	3:20a
640MNT	<DIR>		03-04-98	9:12a
640BACK	<DIR>		03-04-98	9:19a
MCAFEE	<DIR>		03-04-98	9:04a
SOUND	<DIR>		03-04-98	9:05a
WIN95PAT	<DIR>		03-04-98	9:23a
SOUNDAPP	<DIR>		03-04-98	9:25a
1 file(s)			290 bytes	
9 dir(s)			1,699,577,856 bytes free	

ENCLOSURE (1)

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 SCREENING INTERVIEWS OF VMAQ-4
MAINTENANCE CREW

On various dates, USMC members, both Officer and Enlisted in rank, currently assigned to VMAQ-4 squadron, Aviano Air Base, Aviano, IT were interviewed by Special Agents of the Naval Criminal Investigative Service (NCIS) regarding the mishap flight involving the EA-6B aircraft on 03FEB98.

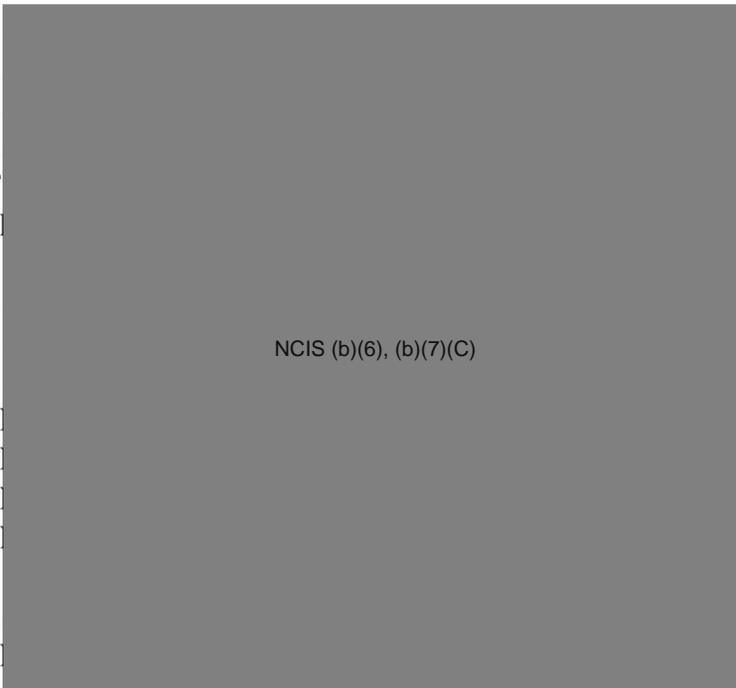
The questions asked during the interviews are as follows:

1. Are you aware of a "Cable Car Club" among the VMAQ-2 or VMAQ-4 community? Do you have any information regarding this club, to include rumor, as well as other persons who may be affiliated with this club?
2. Can you identify persons who had access to the cockpit of the EA-6B mishap aircraft immediately after it's landing?
3. Do you have any information regarding the LtCol [REDACTED] NCIS (b)(6), (b)(7)(C) or know anyone who may have information?
4. Do you have any information regarding the videotaping of the mishap flight?
5. Do you have any knowledge of any low level flights, where altitude restrictions were not adhered to?
6. Do you know if there are any existing videotapes, similar to the [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C)
7. Do you have any information regarding low level flights that we have not covered?

The following USMC members were interviewed and had no pertinent information to report regarding this investigation:

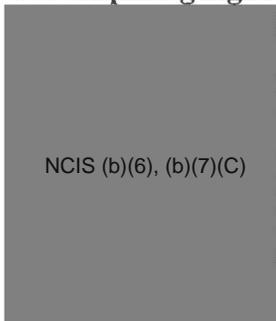
LCPL [REDACTED]
LCPL [REDACTED] NCIS (b)(6), (b)(7)(C)

CPL
CPL
CPL
CPL
SGT
LCP
CPL
CPL
CPL
CPL
LCP
LCP
LCP
LCP
CPL
CPL
LCP



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

Participating Agents



A, NCIS Rota, SP
SA, NCISFO Europe, Naples, IT
C, NCISFO Europe, Naples, IT
NCISFO Europe, Naples, IT
o, IOS, NCIS Sigonella, IT
CISFO Europe, Naples, IT
A, NCIS London, UK
NCIS La Maddelana, IT

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

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: Review of VMAQ-4 Low Level Flights

On 06 May, 1998, reporting agent and participating agent interviewed Captain [REDACTED] NCIS (b)(6), (b)(7)(C), USMC, regarding captioned investigation. [REDACTED] NCIS (b)(6), (b)(7)(C) the acting Operations Officer for VMAQ-4 deployed to Aviano AFB, Italy, advised his squadron was previously deployed to Aviano from 01 September 1996 to 27 February 1997. [REDACTED] NCIS (b)(6), (b)(7)(C) stated that the unit was on an alert status until 21 November 1996 and until that time conducted no low level flights. [REDACTED] NCIS (b)(6), (b)(7)(C) annually reviewed all squadron flight records during that deployment. [REDACTED] NCIS (b)(6), (b)(7)(C) signed his notes from his manual search and provided them to NCIS, and they will be maintained with the NCIS case notes.

[REDACTED] NCIS (b)(6), (b)(7)(C) provided Naval Aircraft Flight Records (NAFR) and flight schedules for all VMAQ-4 low levels discovered in his search, enclosures (1) through (12) pertain. Specifically, the squadron flew six low level training flights during this time frame. The only crew member flying these flights who was involved in the Aviano mishap flight was Captain [REDACTED] NCIS (b)(6), (b)(7)(C). However, of the six flights, [REDACTED] NCIS (b)(6), (b)(7)(C) was involved in only one, that flown on 16 January 1997. In that flight, [REDACTED] NCIS (b)(6), (b)(7)(C) was the lone backseater, and his seat location is undetermined.

Enclosures (5) and (6) pertain to CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) flight of 16JAN97. Enclosure (5) identifies the flight crew as [REDACTED] NCIS (b)(6), (b)(7)(C) a backseater, and ECMO 1 as Major [REDACTED] NCIS (b)(6), (b)(7)(C) now assigned to Marine Corps Headquarters. The pilot, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) is currently attending school in Quantico, VA, and after a summer 1998 graduation, will be joining VMAQ-1. Both their SSN's are provided in enclosure (5). Enclosure (5) also states the mission was 1.5 hours long, departing at 1300, returning at 1430. The training code 215 refers to a "high low high profile" and [REDACTED] NCIS (b)(6), (b)(7)(C) training code of 252 refers to backseat electronic surveillance. Enclosure (6) further identifies the VMAQ-4 flight schedule for that day. The squadron was scheduled to fly four different missions. The first, scheduled over the AOR and mission oriented, involved two aircraft and they were piloted by Captains [REDACTED] NCIS (b)(6), (b)(7)(C) and [REDACTED] NCIS (b)(6), (b)(7)(C) respectively, with their respective crews also identified. The third flight, scheduled to be over flight route AV047 and piloted by LTCOL [REDACTED] NCIS (b)(6), (b)(7)(C) was canceled due to a maintenance problem (NFI). The fourth flight, piloted by Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was [REDACTED] NCIS (b)(6), (b)(7)(C) flight, which went. This document reflects flight notes #4, applicable to [REDACTED] NCIS (b)(6), (b)(7)(C) aircraft, which identifies the route flown as being AV047. Route AV047 is the nomenclature of the route flown during the mishap flight. The altitude of the flight was not

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EXHIBIT (108)

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able to be determined from this record, according to [REDACTED] (b)(6), (b)(7)(C) This schedule was signed off by then VMAQ-4 CO, LTCOL [REDACTED] (b)(6), (b)(7)(C) USMC. The name [REDACTED] (b)(6), (b)(7)(C) also appears on the schedule, but [REDACTED] (b)(6), (b)(7)(C) advised he was canceled from the flight for reasons unknown, as he is not reflected on enclosure (5), the true mission record.

A review of [REDACTED] (b)(6), (b)(7)(C) personal NAFR's was requested. [REDACTED] (b)(6), (b)(7)(C) provided that "the first investigators" had taken those records and they had not as yet been returned. [REDACTED] (b)(6), (b)(7)(C) advised their location was unknown and suggested that the "first investigators" referred to the USMC investigations board held immediately after the mishap.

[REDACTED] (b)(6), (b)(7)(C) also provided that [REDACTED] (b)(6), (b)(7)(C) was scheduled to fly a low level mission on 25JAN97 but the flight was canceled due to mechanical problems. [REDACTED] (b)(6), (b)(7)(C) included he had no personal knowledge of the mishap incident and added he had no subsequent contact with any of the aircrew regarding the incident.

[REDACTED] (b)(6), (b)(7)(C) a ECMO himself, further spoke of having attended MAC training in Australia. MAC stands for "Minimum Altitude Clearance" and is "high speed low drag" training. [REDACTED] (b)(6), (b)(7)(C) was unaware [REDACTED] (b)(6), (b)(7)(C) or any of the mishap crew attended MAC training. He advised that Prowler pilots are trained to fly as low as 50' in the Australian desert, and that such training is vital to defensive tactical maneuvers.

ENCLOSURES

- (1) TWO COPIES OF VMAQ-4 NAFR (INCLUDES CORRECTED COPY)/23OCT96
- (2) COPY OF VMAQ-4 FLIGHT SCHEDULE/23OCT96
- (3) COPY OF VMAQ-4 NAFR/15JAN97
- (4) COPY OF VMAQ-4 FLIGHT SCHEDULE/15JAN97
- (5) COPY OF VMAQ-4 NAFR/16JAN97
- (6) COPY OF VMAQ-4 FLIGHT SCHEDULE/16JAN97
- (7) COPY OF VMAQ-4 NAFR/17JAN97
- (8) COPY OF VMAQ-4 FLIGHT SCHEDULE/17JAN97
- (9) COPY OF VMAQ-4 NAFR/25JAN97
- (10) COPY OF VMAQ-4 FLIGHT SCHEDULE/25JAN97
- (11) COPY OF VMAQ-4 NAFR/20FEB97
- (12) COPY OF VMAQ-4 FLIGHT SCHEDULE/20FEB97

PARTICIPATING AGENT

[REDACTED] (b)(6), (b)(7)(C), SPECIAL AGENT, NCISFO NAPLES, ITALY

BIOGRAPHICAL DATA:

NAME: CAPT [REDACTED] (b)(6), (b)(7)(C), USMC

SSN: [REDACTED]

DPOB: [REDACTED]

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

WORK [REDACTED]

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

Office: NCISFO Naples, Italy

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Pages 1050 through 1062 redacted for the following reasons:

Enclosures (1 - 12) to Exhibit (168): Referred to the United States Marine Corps

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: CHECK OF BASE CP RECORDS

On 06May98, MSgt. [REDACTED] NCIS (b)(6), (b)(7)(C), USAF, Aviano Air Base Command Post (CP) was interviewed concerning any records or tapes that may have been kept for 03Feb98. As background, a mishap involving an EA-6B Prowler aircraft originating from the Aviano Air Base and a cable car occurred on 03Feb.

[REDACTED] NCIS (b)(6), (b)(7)(C) stated routine procedures for the operation of the base CP include recording all incoming and outgoing air activity on an audio tape. This tape records on all incoming circuits, and on different radio frequencies. In order to listen to a particular tape, a certain frequency for that channel would have to be programmed into specialized listening /playback equipment. This equipment is available in the CP. The tape is usually kept for the period of one (1) month, and is then it is used again, recorded over in its entirety with the base's current air activity. The tape for 03Feb98 was kept for a period of approximately two (2) months, and was then re-used sometime in the month of April 98.

[REDACTED] NCIS (b)(6), (b)(7)(C) also provided copies of the CP logs for 03Feb98. A review of the logs reveal several entries for 03Feb. Information provided on the entries were received second-hand by the base air traffic control tower. Entries reveal nothing constituting significant investigative leads in this case. Enclosure (1) pertains. In addition, all personnel on duty in the CP on that day only received information on the mishap from the control tower.

ENCLOSURE

(1) Copy of CP log/03Feb98

BIOGRAPHICAL DATA

SSN: [REDACTED]

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

POB: [REDACTED]

SECURITY CLEARANCE: Top Secret

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

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

Office: NCISFO Naples, Italy

Pages 1064 through 1067 redacted for the following reasons:

Enclosure (1) to Exhibit (169): Referred to the United States Marine Corps

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

INVESTIGATIVE ACTION: ACQUISITION OF SERVER BACK-UP TAPES/06MAY98

On 06May98, SSgt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, [REDACTED] NCIS (b)(6), (b)(7)(C) VMAQ-2, provided reporting agent five (5), computer server back-up tapes. [REDACTED] NCIS (b)(6), (b)(7)(C) identified the tapes as having been provided to him by SSgt [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, VMAQ-2, upon commands return from Aviano, Italy. [REDACTED] NCIS (b)(6), (b)(7)(C) advised SSgt [REDACTED] NCIS (b)(6), (b)(7)(C) provided him four tapes. [REDACTED] NCIS (b)(6), (b)(7)(C) stated he forwarded three of the tapes to "WISMO" aboard MCAS, Cherry Point, NC. [REDACTED] NCIS (b)(6), (b)(7)(C) provided four tapes, three of which are the tapes he originally sent to "WISMO". [REDACTED] NCIS (b)(6), (b)(7)(C) stated he was uncertain if the fourth tape contained relevant information. [REDACTED] NCIS (b)(6), (b)(7)(C) advised these tapes have, most likely, been re-used. [REDACTED] NCIS (b)(6), (b)(7)(C) reported the remaining tape has remained in commands control. [REDACTED] NCIS (b)(6), (b)(7)(C) specifically identified this tape as being marked as having been completed on February, 13, 1998, at 0115. [REDACTED] NCIS (b)(6), (b)(7)(C) advised this tape was in "mint" condition and has not been re-used or altered. [REDACTED] NCIS (b)(6), (b)(7)(C) provided reporting agent a copy of an equipment custody record reflecting the five (5) tapes being relinquished to reporting agent. The equipment custody record is attached as enclosure (1). All five (5) tapes provided by [REDACTED] NCIS (b)(6), (b)(7)(C) were placed into the NCIS evidence custody system.

The G-1 section of 2DMAW, MCAS, Cherry Point, NC, was contacted regarding their possible possession of VMAQ-2 computer server back-up tapes. G-1 advised all such tapes would be sent to "WISMO".

Enclosure
(1) Equipment custody record/06May98

Participating Agent
[REDACTED] NCIS (b)(6), (b)(7)(C), SA, NCISRA Cherry Point, NC

Reporting Agent: [REDACTED] NCIS (b)(6), (b)(7)(C)
Office: NCISRA Cherry Point, NC

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 AMN [REDACTED] USAF

On 06May98, AMN [REDACTED] USAF, was interviewed by reporting and participating agents at the security offices aboard Aviano Air Base, Aviano, Italy. Agents identified themselves both verbally and by displaying their credentials. [REDACTED] was interviewed concerning a mishap involving an EA-6B Prowler aircraft and a cable car near Cavalese, Italy. [REDACTED] was specifically questioned concerning the physical security of the aircraft after it returned to Aviano from the incident in question.

[REDACTED] is assigned to the 31st Security Force Squadron (SFS), Aviano Air Base. [REDACTED]'s duties include providing physical security to the various facilities on base. He was on duty from 2200 on 03Feb98 to 0600 04Feb. When [REDACTED] reported for duty, he was told to provide security for the mishap aircraft, located in Hangar #2.

According to [REDACTED] the mishap aircraft was observed in the hangar, roped off within a small perimeter. His orders were to prohibit anyone from gaining access to the plane, or taking photographs of any kind. [REDACTED] security detachment consisted of himself, a U.S. Marine (unknown to [REDACTED]) and two Italian Carabinieri personnel.

During [REDACTED] shift, no one crossed the roped-off area in question. No one personally approached [REDACTED] during this time, and there were no attempts to gain access by any personnel. [REDACTED] ended his shift at approximately 2200. The aircraft was not moved from the hangar during [REDACTED] presence. This shift was the only contact that [REDACTED] had with the mishap aircraft. He was posted to his normal security duties the next day.

BIOGRAPHICAL DATA

SSN: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

STATUS: U.S. CITIZEN

SECURITY CLEARANCE: CONFIDENTIAL

Participating Agent: [REDACTED] NCIS Sigonella, Italy

Reporting Agent: [REDACTED]

Office: NCISFO Naples, Italy

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: Results of Interview: Col. [REDACTED]

On 06MAY98 [REDACTED] Col. USAF, was interviewed by Intelligence Operations Specialist [REDACTED] at Aviano AFB regarding his observations and actions in conjunction with the 03FEB98 EA-6B mishap flight.

As background, [REDACTED] is the Logistics Group Commander, 31st Fighter Wing at Aviano AFB, Italy. [REDACTED] stated that in this capacity Hanger's one and two fall under his command. [REDACTED] recalled being in hanger two just prior to the EA-6B Prowler being towed and secured for seizure by Italian authorities. [REDACTED] stated that he did not see the EA-6B aircrew or have any contact with them. [REDACTED] recalled that USMC ground services personnel were in the cockpit, however, he did not observe them remove any objects from the aircraft. [REDACTED] disclosed that while analyzing damage to the aircraft, Carabinieri (Italian paramilitary police) officials instructed him to depart the hanger. [REDACTED] added that he was in hanger two for approximately 20-25 minutes and that he did not have contact with the aircrew following the mishap flight.

BIOGRAPHICAL DATA

EMPLOYMENT: [REDACTED]

SSAN [REDACTED]
DOB: [REDACTED]
POB: [REDACTED]

REPORTED BY: [REDACTED]
OFFICE: NCISFO Europe
DATE: 06MAY98

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 COL [REDACTED] USAF

On 06MAY98, reporting agent and participating agent interviewed COL [REDACTED] (C) [REDACTED] (b)(6), (b)(7)(C) USAF, regarding captioned investigation. [REDACTED] (b)(6), (b)(7)(C) had been identified by USAF Security Personnel as having been present at the recovery of the mishap aircraft on 03FEB98. When COL [REDACTED] (b)(6), (b)(7)(C) was advised as to the nature of the interview, he stated that he was TDY at Keesler Air Force Base, MS, from 01 to 07 February, 1998, and thus was not at Aviano on the third. COL [REDACTED] (b)(6), (b)(7)(C) further advised that after his return to Aviano on 07 February 1998, he never had any contact with the mishap air crew or any US Marine Corps personnel regarding the mishap.

PARTICIPATING AGENT

[REDACTED] (b)(6), (b)(7)(C) SPECIAL AGENT, NCISFO NAPLES, ITALY

BIOGRAPHICAL DATA:

NAME: COL [REDACTED] (b)(6), (b)(7)(C) USAF

SSN: [REDACTED] (b)(6), (b)(7)(C)

DUSTA: 31ST SUPPORT GROUP, DEPUTY COMMANDER, AVIANO, ITALY

WORK TELEPHONE: DSN [REDACTED] (b)(6), (b)(7)(C)

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EXHIBIT 173

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

INVESTIGATIVE ACTION: INTERVIEW OF SSGT [REDACTED] USAF

On 06May98, SSGT [REDACTED] USAF, was interviewed by reporting agent aboard the Aviano Air Base, Aviano, Italy. [REDACTED] was interviewed concerning a mishap involving an EA-6B Prowler aircraft and a cable car near Cavalese, Italy. He was specifically questioned concerning the physical security of the aircraft after it returned from the incident in question.

[REDACTED] was called in to provide physical security for the aircraft an unspecified time after it landed. The aircraft was still on the runway at the time [REDACTED] provided security for approximately 45 minutes, along with other security team members. No personnel gained access to the aircraft during this time. The plane was then towed to Hangar #2. [REDACTED] took a U.S. Marine Lance Corporal to assist in guarding the aircraft in Hangar #2.

The aircraft was transferred to Zulu area, according to [REDACTED]. He waited at the hangar for its arrival. The aircraft was locked in the hangar by Italian personnel.

[REDACTED] did not provide security during this time. During successive three days, Italian Carabinieri officials visited Zulu area.

Investigator's note: A log of the Italian personnel visits to Zulu area has been provided to Special Agent [REDACTED] during his visit to the base security office.

BIOGRAPHICAL DATA

SSN: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

SECURITY CLEARANCE: SECRET

Reporting Agent: [REDACTED]

Office: NCISFO Naples, Italy

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

STATEMENT

DATE: 07 May, 1998

PLACE: Aviano, Italy

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 an Agent of the United States Naval Criminal Investigative Service. I make this statement of my own free will, without any threats made to me or promises extended. I fully understand this statement is given in concerns to my knowledge of the events which took place subsequent to the EA-6B Marine Prowler incident of 03 Feb 98.

NCIS (b)(6), (b)(7)(C) for purposes of identification, I state that my full name is NCIS (b)(6), (b)(7)(C) Senior Airman, E-4, NCIS (b)(6), (b)(7)(C) born on NCIS (b)(6), (b)(7)(C) I am a lab technician for the 31st Medical Group, in Aviano, Italy.

NCIS (b)(6), (b)(7)(C) was on duty in the lab on 03 Feb 98 and my shift was from 16:00 to 23:00. I recall that about 16:20 that day, the crew members of the EA-6B Prowler were brought in to the lab for medical testing. It is standard operating procedure for us to draw from about 17 to 22 vials of blood and two 70ml samples of urine for our lab tests. I happen to know Marine Captain NCIS (b)(6), (b)(7)(C) because he took an Italian language class with me. At that time, I recall the person whom I believe to be Marine Captain NCIS (b)(6), (b)(7)(C) say to Captain NCIS (b)(6), (b)(7)(C) "HOPE IT WASN'T A GONDOLA", and "I KNOW WE HIT SOMETHING, BUT WE COULDN'T SEE!". I also recall Captain NCIS (b)(6), (b)(7)(C) saying, "IT ALL HAPPENED SO FAST, I COULDN'T SEE!". I specifically recall the word GONDOLA because at that time, I didn't know the details of the incident and when I heard them speak, I thought what could they have been doing in Venice, thinking that they were referring to a Venetian water gondola. I also do not ski and therefore did not know that a cable car is also called a GONDOLA.

NCIS (b)(6), (b)(7)(C) recall the order that the blood samples were taken from the crew members NCIS (b)(6), (b)(7)(C) first, NCIS (b)(6), (b)(7)(C) second, NCIS (b)(6), (b)(7)(C) third, NCIS (b)(6), (b)(7)(C) last. While the samples were drawn from the crewmembers one at a time, Captain NCIS (b)(6), (b)(7)(C) present in the lab the entire time of the sampling.

(continued on next page)
NCIS (b)(6), (b)(7)(C)

EXHIBIT 175

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

have read and understand this statement, consisting of this and one additional page, typed for me by Mr. NCIS (b)(6), (b)(7)(C) from information we discussed. I have made and initialed any corrections. This statement is accurate and true to the best of my knowledge and belief.

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

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

Subscribed and sworn to before me this 07th day of May 1998 in Aviano, Italy

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

AUTHORITY:
SECNAVINST 5520.3B OF 04Jan93

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STATEMENT

PLACE: NCISRA QUANTICO

DATE: 7MAY98

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

MAJ USMC

_____, 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 FLIGHT ROUTE AVO47 AND CAPT _____ NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C)

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

For the purpose of identification, I am _____ NCIS (b)(6), (b)(7)(C) tall, weighing approximately _____ NCIS (b)(6), (b)(7)(C) pounds. I have _____ NCIS (b)(6), (b)(7)(C) hair and _____ NCIS (b)(6), (b)(7)(C) eyes. My social security number is _____ NCIS (b)(6), (b)(7)(C) and I was born on _____ NCIS (b)(6), (b)(7)(C)

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

I am currently assigned to Concepts Division MCCDC HQ MCB Quantico. I performed Asst. Operations Officer duties while assigned to VMAQ-4. I flew the 047 on a few occasions points D,T,U. I don't remember staying on the route past point U. Typically we would climb off there to save fuel for other missions. I do not recall where the Gondola exists along the route. There are many small villages and ski areas. I recollect the minimum altitude being 1000' AGL for EA-6B's. Altitude restrictions over ski areas and towns was 2000' AGL, my recollection." I don't recall the details of the particular flight on 16 January 97. Capt _____ NCIS (b)(6), (b)(7)(C) in my opinion is a very professional young Marine Officer. Inexperienced, but in my opinion ahead of his peers in situational awareness and maturity. I believe Capt _____ NCIS (b)(6), (b)(7)(C) would speak out if, in his mind, an unsafe condition existed. Due to limited forward visibility in the EA-6B, it is incumbent upon the crew members in the front seats to keep those in the back informed of "things" ahead of the aircraft. Airspeeds (timing), altitudes, route of flight are all part of pre-flight brief _____ NCIS (b)(6), (b)(7)(C)

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

A rumor has been mentioned to me concerning a "LAST FLIGHT IN ITALY" reckless attitude, or perhaps daring flight under such an obstacle as the gondola. That is ridiculous!! I have

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

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

Signature _____

EXHIBIT (176)

PAGE 1 OF 2

EXHIBIT (2)

STATEMENT

PLACE: NCISRA QUANTICO, VA

DATE: 7MAY98

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 FLIGHT ROUTE AV047 AND THE PERSON OF CAPT NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) For the purpose of identification, I am NCIS (b)(6), (b)(7)(C) tall, weighing approximately NCIS (b)(6), (b)(7)(C) pounds. I have NCIS (b)(6), (b)(7)(C) hair and NCIS (b)(6), (b)(7)(C) eyes. My social security number is NCIS (b)(6), (b)(7)(C) and I was born on NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) I am currently assigned to AWS as a student in that course. My primary MOS is an EA-6B pilot. I have served in Italy as a pilot in support of NATO/UN operations on two occasions. The first was in 1994-1995 for approximately three months, based out of Sigonella, Sicily. The second occasion was a six-month pump flying out of Aviano, Italy, during 1996-1997. Special Agent NCIS (b)(6), (b)(7)(C) indicated to me that during my second pump (1996-1997) I had flown the Italian low-level route AV047 with Capt NCIS (b)(6), (b)(7)(C). I remember having flown the route in question. Capt NCIS (b)(6), (b)(7)(C) (now Major NCIS (b)(6), (b)(7)(C)) was my navigator, sitting in the front right seat. Lt NCIS (b)(6), (b)(7)(C) (now Capt) was alone in the back cockpit (normally two sit in the back NCIS (b)(6), (b)(7)(C))

NCIS (b)(6), (b)(7)(C) I recall, we briefed a standard low-level training flight. I do not recall the exact altitude restrictions that were in place at the time, though I believe they varied from 1000' AGL to 2000' AGL, depending on which portion of the route you were flying. As I recall, the weather was good and the flight was uneventful. Major NCIS (b)(6), (b)(7)(C) used the training opportunity to discuss important aspects of low-level flying. This was given particular emphasis as the high altitude restrictions prevented the flight from being particularly dynamic. In addition, Capt NCIS (b)(6), (b)(7)(C) had not had the opportunity to conduct the Low Altitude Tactics Training (LATT) program (he had joined the squadron during our deployment and all LATT training had been suspended, prior to our deployment, by 2dMAW.) Though I do not recall any other specifics of the flight, I believe it was uneventful NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Flight planning for the flight in question, though I do not remember the specific brief, would have been conducted according to NATOPS and squadron SOP. Particular to NCIS (b)(6), (b)(7)(C) airspeed, the briefed airspeed was 390-420 KIAS (knots) NCIS (b)(6), (b)(7)(C) (177)

U.S. NAVAL INVESTIGATIVE SERVICE

TITLE: 1/MARFORLANT, NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP
JUDICIAL PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: Attempts to interview NCIS (b)(6), (b)(7)(C)

Between 07MAY98 and 22JUL98, numerous attempts to interview Ms. NCIS (b)(6), (b)(7)(C) were made NCIS (b)(6), (b)(7)(C) located residing NCIS (b)(6), (b)(7)(C) NCIS (b)(6), (b)(7)(C) Special Agent NCIS (b)(6), (b)(7)(C) and Reporting Agent left numerous messages on the door of the residence asking NCIS (b)(6), (b)(7)(C) call Reporting Agent; however, these attempts were unproductive. At 1820, 22JUL98, Special Agent NCIS (b)(6), (b)(7)(C) and Reporting Agent made contact with NCIS (b)(6), (b)(7)(C) her residence NCIS (b)(6), (b)(7)(C) answered the door and when asked by Reporting Agent if he could question her about the mishap involving NCIS (b)(6), (b)(7)(C) CAPT NCIS (b)(6), (b)(7)(C) USMC, she stated "no, I have nothing to say to you" NCIS (b)(6), (b)(7)(C) then closed and locked the door and failed to cooperate any further.

PARTICIPATING AGENTS

NCIS (b)(6), (b)(7)(C), Special Agent, NCISRA El Toro, CA
Special Agent, NCISRA El Toro, CA

REPORTING AGENT: NCIS (b)(6), (b)(7)(C)

OFFICE: NCISRA El Toro, CA

DATE TYPED: 23JUL98

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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: RESULTS OF INTERVIEW OF SRA [REDACTED] (C)

[REDACTED] (C)

On 07May98, reporting agent interviewed USAF SRA [REDACTED] (C) lab technician assigned to the 31st Medical Group, 31st Fighter Wing, Aviano, Italy [REDACTED] (C) was on duty at the medical lab on 03Feb98, the day of the Marine EA-6B Prowler incident over Cavalese, Italy. In reply to questions concerning his knowledge of events concerning the crew members of the flight during the time that they were present in the 31st Medical Group lab, he stated that he was on duty that day together with SRA [REDACTED] (C) [REDACTED] (C) duty hours that day were from 09:00 to 18:00 [REDACTED] (C) recalled the pilots being brought in for lab work at around 17:30 hours [REDACTED] (C) specifically took urine samples from the crew [REDACTED] (C) spoke to Marine Captain [REDACTED] (C) and asked what had happened. [REDACTED] (C) response was that they had hit something, but did not know what [REDACTED] (C) also asked Marine Captain [REDACTED] (C) what had happened to [REDACTED] (C) response was that he had [REDACTED] (C) evacuating the plane in an emergency landing [REDACTED] (C) stated that no other persons were present while he spoke to the crew members because all had gone home for the day. He himself stated that he left that day at 19:30 hours [REDACTED] (C) had no other pertinent information to relate concerning the subject matter.

Biographical data:

[REDACTED] (C)

REPORTED BY: [REDACTED] (C)
OFFICE: NCISFO EUROPE
DATE: 07 May 1998

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EXHIBIT (179)

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 INTERVIEW OF USAF MAJOR

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

On 07May98, reporting agent interviewed USAF Major [redacted] NCIS (b)(6), (b)(7)(C) Chief of Mental Health Element, 31st Medical Operation Squadron, Aviano, Italy. In reply to questions concerning her knowledge of events concerning the crew members of the EA-6B Prowler during the time that they were in her presence, she stated that she had gone home for the day at about 17:30 on 03Feb98 when almost immediately upon reaching home her phone rang. Major [redacted] NCIS (b)(6), (b)(7)(C) stated that it was USAF Colonel [redacted] NCIS (b)(6), (b)(7)(C) head of the Medical Facility at Aviano, Italy, who stated that there had been a mishap involving the Marines and that her presence was required. Major [redacted] NCIS (b)(6), (b)(7)(C) reported promptly to the lab since she knew that it was the place where the Marine crew members had been taken for testing. She stated she found the four crew members at the Aerospace waiting room. She knew from [redacted] NCIS (b)(6), (b)(7)(C) there had been casualties in the mishap, but was not aware of the full details. Major [redacted] NCIS (b)(6), (b)(7)(C) also knew that Marine Lt. Colonel [redacted] NCIS (b)(6), (b)(7)(C) air crew's commanding officer was on his way to talk to his men. Major [redacted] NCIS (b)(6), (b)(7)(C) recalled that when she spoke to the crew they were clueless to the entity of the mishap. [redacted] NCIS (b)(6), (b)(7)(C) pointed out that she did not remember specifically who said what, but she recalled them stating that they had hit something and did not know what. She also recalled them thinking that they had hit some wires or possibly telephone wires and that they were lucky to be back on the ground. She finally remembered the crew state that they hoped that no one had been hurt by any debris that may had fallen as a result of the incident. [redacted] NCIS (b)(6), (b)(7)(C) stated that in her opinion the crew was in a good mental state. Subsequently, [redacted] NCIS (b)(6), (b)(7)(C) stated that Lt Colonel [redacted] NCIS (b)(6), (b)(7)(C) came into the room and said that he had bad news and that the crew had hit a cable and that there had been casualties. [redacted] NCIS (b)(6), (b)(7)(C) did not recall who specifically said what, but she did recall one of the crew members asking how many casualties there had been and if there were any children involved. Upon hearing the number of the casualties from Lt Colonel [redacted] NCIS (b)(6), (b)(7)(C) and that there may have been children among the victims, they became very upset and prayed. From Major [redacted] NCIS (b)(6), (b)(7)(C) conversations with the crew members, they never indicated that they may have struck any kind of structure. It was their belief that they had struck some kind of wire. [redacted] NCIS (b)(6), (b)(7)(C) finally indicated that in her opinion, she did not sense that the crew had pre-planned their story. According to [redacted] NCIS (b)(6), (b)(7)(C) the person who was the most grief stricken and upset with the news of the disaster was Captain [redacted] NCIS (b)(6), (b)(7)(C). Major [redacted] NCIS (b)(6), (b)(7)(C) had no other pertinent information to relate in regards to subject matter.

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:

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

REPORTED BY: NCIS (b)(6), (b)(7)(C)
OFFICE: NCISFO EUROPE
DATE: 07 May 1998

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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 CW02 [REDACTED] (C)

On 12May98, reporting agent and participating agent [REDACTED] (C) interviewed CW02 [REDACTED] (C) USMC, [REDACTED] (C) regarding the EA6B Prowler mishap which occurred near Cavalese, Italy on 03Feb98. [REDACTED] (C) was interviewed at his squadron office located aboard MCAS Cherry Point, NC.

[REDACTED] (C) is the Tactical Electronic Processing Reconnaissance and Evaluation System (TERPES) Officer for VMAQ-2.

[REDACTED] (C) explained four tapes are utilized inside the aircraft as part of the TERPES mission. He described them as two (2) Load Tapes and two (2) Record Tapes. These tapes are commonly referred to as the "RRS Tapes" because they are a part of the Record Reproducer Set (RRS) in the aircraft. According to [REDACTED] (C) the Load Tapes contain mission information and the Record Tapes record various aspects of the flight.

[REDACTED] (C) noted these tapes are classified "SECRET".

[REDACTED] (C) advised these four tapes are signed out by one of the aircrew for every flight. According to [REDACTED] (C) TERPES personnel bring the tapes to the aircrew at the pre-flight brief, at which time a member of the crew signs for them and takes custody of them.

[REDACTED] (C) reviewed the pertinent log book and determined CAPT [REDACTED] (C) signed out the four RRS Tapes on 03Feb98.

[REDACTED] (C) provided no additional information pertinent to this investigation during this interview.

BIOGRAPHICAL DATA

[REDACTED] (C) /CW02 USMC

SSN: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

UNIT: [REDACTED]

WKPH: [REDACTED]

[REDACTED] (C)

PARTICIPATING AGENT

[REDACTED] (C) SA, NCISFO Carolinas, MCB, CLNC

REPORTED BY: [REDACTED] (C)

OFFICE: [REDACTED]

[REDACTED] (C)

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 LCPL [REDACTED] USMC

On 12May98, reporting agent and participating agent [REDACTED] interviewed LCpl [REDACTED] USMC, [REDACTED] regarding the EA6B Prowler mishap which occurred near Cavalese, Italy on 03Feb98. LCpl [REDACTED] was interviewed at the NCISRA Cherry Point office located aboard MCAS Cherry Point, NC.

[REDACTED] assigned to the S-4 Shop at VMAQ-2.

He indicated he returned to MCAS Cherry Point as part of the squadron's Advance Party prior to the date of the mishap.

[REDACTED] related while deployed to Aviano, the enlisted personnel assigned to the S-4 Shop consisted of the following Marines and him.

- Sgt [REDACTED], [REDACTED] S-4, VMAQ-2
- Cpl [REDACTED] (Armorer), MAG-14

[REDACTED] noted [REDACTED] currently TAD to Norfolk, VA. He also advised Cpl [REDACTED] is currently in Turkey with MAG-14.

[REDACTED] stated the S-4 personnel always drove the aircrews to the launch. He recalled they would leave the Ready Room with the aircrew, drive them to Maintenance Control, then to the lollipop where the plane was parked. [REDACTED] noted S-4 also picked the aircrews up after the flights. [REDACTED] described the vehicle used by S-4 to drive the aircrews was a green van.

[REDACTED] provided a list of the VMAQ-2 personnel who returned from Aviano early with the Advance Party, enclosure (1) pertains. He noted some of the persons listed on this sheet may not have actually returned on the Advance Party.

[REDACTED] provided no additional information pertinent to this investigation during this interview.

BIOGRAPHICAL DATA

[REDACTED] /LCpl USMC

SSN: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

UNIT: S-4 Shop, VMAO-2, MAG-14, 2DMAW, MCAS Cherry Point, NC

WKPHN: [REDACTED]

ENCLOSURE

(1) Advance Party (Mini-Deployment #1) Roster/97/08/06...(Copy)

EXHIBIT (K82)

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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

PARTICIPATING AGENT

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

SA, NCISFO Carolinas, MCB CLNC

REPORTED BY:
OFFICE:

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

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Page 1088 redacted for the following reason:

Enclosure (1) to Exhibit (182): Referred to the United States Marine Corps

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: RECEIPT OF LEAVE AND TRAINING LISTS

On 12May98, reporting agent and participating agent [REDACTED] NCIS (b)(6), (b)(7)(C) contacted CW02 [REDACTED] NCIS (b)(6), (b)(7)(C) USMC, Admin Officer, VMAQ-2, at his office aboard MCAS Cherry Point, NC. CW02 [REDACTED] NCIS (b)(6), (b)(7)(C) provided reporting agent with a list of all officers in VMAQ-2 who took leave during the month of Dec97, as well as the dates they were on leave, enclosure (1) pertains. A forwarding address for Cpl [REDACTED] NCIS (b)(6), (b)(7)(C) is also on that list. CW02 [REDACTED] NCIS (b)(6), (b)(7)(C) provided a second list which indicated the names and dates of VMAQ-2 officers who were TAD to the CAOC or other areas during Dec97, enclosure (2) pertains. CW02 [REDACTED] NCIS (b)(6), (b)(7)(C) provided no additional information pertinent to this investigation during this interview.

ENCLOSURES

- (1) List of names and dates for Leave/Undated...(Orig)
- (2) List of names and dates for TAD to CAOC, Germany and Nellis/Undated...(Orig)

PARTICIPATING AGENT

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

SA, NCISFO Carolinas, MCB CLNC

REPORTED BY:
OFFICE:

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

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Pages 1090 through 1091 redacted for the following reasons:

Enclosures (1 -2) to Exhibit (183): Referred to the United States Marine Corps

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 1LT [REDACTED] USMC

On 13May98, reporting agent and participating agent [REDACTED] interviewed 1LT [REDACTED] USMC, [REDACTED], regarding the EA6B Prowler mishap which occurred near Cavalese, Italy on 03Feb98. [REDACTED] was interviewed at the request of the Trial Counsels assigned to this case. This interview was conducted at the NCISRA Cherry Point office located aboard MCAS Cherry Point, NC.

[REDACTED] was in Aviano the day the mishap occurred. At that time, he was the Maintenance Control Officer. While deployed to Aviano, he worked out of a Hardened Aircraft Shelter (HAS) which was located near the "Mike Loop" taxiway to the runway.

[REDACTED] advised there were "lollipops" off of the taxiway. He described the lollipops as parking areas for the planes when they were not in the hangar. According to [REDACTED] the flight crews and trouble shooters usually conducted their pre-flight checks on the planes while the planes were parked at the lollipops.

However, on 03Feb98, [REDACTED] indicated the mishap aircraft was not parked in one of the lollipops off of the Mike Loop prior to take-off. He advised there was construction on the taxiway, so the aircraft was parked in an area known as the "Transient Line" or "T Line." This area was located adjacent to the runway. [REDACTED] estimated it was about one quarter mile from the HAS where his shop was located.

[REDACTED] stated the trouble shooters and the aircrew conducted their pre-flight checks on the aircraft at the T Line area. [REDACTED] stated he was at the T Line area with SS [REDACTED] prior to the launch of the mishap flight. He drove there in a gray rental car and parked approximately 100-150 yards from the aircraft. [REDACTED] noted he arrived at the plane just as the aircrew got there.

According to [REDACTED] the aircrews normally left the Ready Room and went to Maintenance Control at the HAS where they all review the Aircraft Discrepancy Book (ADB). The ADB lists the maintenance history on the plane over the previous 10 flights. Then the pilot signs to ADB and the crew goes over to the aircraft.

[REDACTED] indicated on 03Feb98, since they were launching from the T Line, Maintenance Control notified all aircrews that the ADB would be brought to the T Line to be reviewed and signed. He advised this was done to save time.

[REDACTED] recalled that each of the mishap aircrew reviewed the ADB

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EXHIBIT (184)

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prior to the flight. He believed SSgt NCIS (b)(6), (b)(7)(C) went over the ADB with CAPT NCIS (b)(6), (b)(7)(C) signed it. NCIS (b)(6), (b)(7)(C) advised he went over to the aircraft and stood by to ensure the trouble shooters were doing their jobs and to be there as a safety observer.

NCIS (b)(6), (b)(7)(C) recalled that prior to the take-off, the aircrew had to wait around for some tapes to be delivered to the plane. NCIS (b)(6), (b)(7)(C) believed the aircrew was waiting for the RRS tapes for the TERPES system. NCIS (b)(6), (b)(7)(C) was unsure whether or not those tapes are classified. He believed that before each flight, TERPES personnel usually deliver two tapes to the aircrew at the Flight Equipment Room. NCIS (b)(6), (b)(7)(C) recalled the aircrew either forgot them there or did not receive them from TERPES that day.

NCIS (b)(6), (b)(7)(C) stated after the aircrew arrived at the plane, they sent their driver back to "Tin City" where the Ready Room, the Flight Equipment Room and other shops were located. The driver then returned to the T Line with the tapes. NCIS (b)(6), (b)(7)(C) believed the driver was in a van at that time. NCIS (b)(6), (b)(7)(C) stated he sent LCpl NCIS (b)(6), (b)(7)(C) from the COMM/NAV/RADAR Shop over to the van to retrieve the tapes. He recalled NCIS (b)(6), (b)(7)(C) sprinted to the van, got the tapes, then ran to the plane to deliver them. NCIS (b)(6), (b)(7)(C) stated NCIS (b)(6), (b)(7)(C) delivered the tapes to the starboard side of the plane. He could not recall if the crew was inside the plane at that time.

NCIS (b)(6), (b)(7)(C) advised no one else approached the aircrew or the aircraft to deliver any other items prior to take-off.

NCIS (b)(6), (b)(7)(C) believed the aircrews usually carry the RRS tapes to the plane in a NavBag; however, he recalled NCIS (b)(6), (b)(7)(C) carried them in his hand that day.

NCIS (b)(6), (b)(7)(C) indicated NCIS (b)(6), (b)(7)(C) was wearing blue coveralls.

NCIS (b)(6), (b)(7)(C) did not recall seeing any of the aircrew on this flight with a video camera. He stated he did not talk to the aircrew before they boarded the plane. He advised he heard no talk about a video camera, by the aircrew and/or the trouble shooters, prior to this flight.

NCIS (b)(6), (b)(7)(C) first heard about the mishap over the radio. He heard the plane call in to the ODO to declare an emergency and to request that landing gear be rigged. NCIS (b)(6), (b)(7)(C) recalled the ODO responded by saying the landing gear would be rigged. He noted the ODO also asked the nature of the aircraft's emergency. NCIS (b)(6), (b)(7)(C) noted a response did not come right away. When the aircrew finally responded, he heard them indicated combined hydraulic failure and damage to a wing.

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NCIS (b)(6), (b)(7)(C) stated he dispatched the appropriate crews to respond to the site of the arrested landing. He and SSgt NCIS (b)(6), (b)(7)(C) drove over to the scene. NCIS (b)(6), (b)(7)(C) indicated he was at the scene a short while, when MAJ NCIS (b)(6), (b)(7)(C) related he wanted to treat the situation like a mishap investigation.

NCIS (b)(6), (b)(7)(C) stated he returned to Maintenance Control and located the plane out of the NALCOMIS system so no one could change the maintenance records. He then gathered all of the maintenance records and log books, boxed them up and sealed them. He transported the records to the Ready Room, and then eventually to the Safety Shop, where he left them.

NCIS (b)(6), (b)(7)(C) stated he was only in the Ready Room about 4 to 5 seconds. During that time, he saw all four of the mishap aircrew sitting in the Ready Room, looking confused. NCIS (b)(6), (b)(7)(C) stated he had no conversation nor any interaction with the aircrew during that time. He advised he did not hear any of them say anything.

NCIS (b)(6), (b)(7)(C) added he has not had any conversation with any of the aircrew since the mishap.

NCIS (b)(6), (b)(7)(C) identified CWO NCIS (b)(6), (b)(7)(C) as the VMAQ-2 TERPES Officer.

NCIS (b)(6), (b)(7)(C) recalled the mishap aircraft had flown earlier in the day on 03Feb98. He related if there was any problem with the RADALT on that flight, the aircrew should have griped it.

NCIS (b)(6), (b)(7)(C) noted during the deployment, the aircrews had occasional problems with the RADALT on the planes cycling at 25,000' AGL. He explained they sometimes didn't gripe the that problem, but he noted they usually addressed it with the appropriate shop in a debrief after the flight. NCIS (b)(6), (b)(7)(C) was not sure whether the aircrew from the first flight on 03Feb98 had done that or not. NCIS (b)(6), (b)(7)(C) did not recall any gripe written or filed on the RADALT after that first flight on 03Feb98. He further stated he would have known if there was a gripe written up on that RADALT that day.

NCIS (b)(6), (b)(7)(C) explained the mishap aircrew did not go by Maintenance Control after returning from the mishap flight. He did not know what they did after landing that day.

NCIS (b)(6), (b)(7)(C) indicated he did not recall how detailed CAPT NCIS (b)(6), (b)(7)(C) was when explaining problems on previous gripe sheets.

NCIS (b)(6), (b)(7)(C) stated he first heard about CAPT NCIS (b)(6), (b)(7)(C) gripe on the RADALT after the 03Feb98 flight a few days after the mishap occurred.

NCIS (b)(6), (b)(7)(C) stated he could not recall an All Officers Meeting in

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which CAR [REDACTED] held up the Deliberate Guard binder and suggested the aircrews read through it. [REDACTED] indicated he usually tuned out of the meetings when the discussion turned to "strictly aircrew" information.

[REDACTED] related he knew of no information about pilots performing recklessly while flying the aircraft on the deployment to Aviano.

[REDACTED] provided no additional information pertinent to this investigation during this interview.

BIOGRAPHICAL DATA

[REDACTED] /1LT USMC

SSN: [REDACTED]

DOB: [REDACTED]

POB: [REDACTED]

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

UNIT: [REDACTED]

WKPH: [REDACTED]

PARTICIPATING AGENT

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

SA, NCISFO Carolinas, MCB CLNC

REPORTED BY: [REDACTED]

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

OFFICE:

NCISFO CAROLINAS

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STATEMENT

PLACE: NCISRA Cherry Point, NC

DATE: 14MAY98

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

_____, make the following free and voluntary statement to _____

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 EA6B FRONTIER AIRCRAFT INVOLVED IN THE MISHAP FLIGHT ON 03 FEB 98*

NCIS (b)(6), (b)(7)(C) For the purpose of identification, I am NCIS (b)(6), (b)(7)(C) inches tall, weighing approximately NCIS (b)(6), (b)(7)(C) pounds. I have NCIS (b)(6), (b)(7)(C) hair and NCIS (b)(6), (b)(7)(C) eyes. My social security number is

NCIS (b)(6), (b)(7)(C) and I was born on NCIS (b)(6), (b)(7)(C) I am a LCPL in the USMC currently assigned to VMAQ-2 at MCAS Cherry Point, NC. I am a Communications-Navigations-Radar technician with my squadron and was deployed with them to Aviano, Italy during the aircraft mishap involving my squadron which occurred on 03 Feb 98

NCIS (b)(6), (b)(7)(C) On Feb 98, the day of the mishap flight, there was a morning flight with the same aircraft, aircraft 02. Capt NCIS (b)(6), (b)(7)(C) was the pilot and Capt NCIS (b)(6), (b)(7)(C) was the ECMO-1 on that morning flight. I can not remember who else was on that morning flight

NCIS (b)(6), (b)(7)(C) When that flight landed, I conducted the CNR debrief of the aircrew. It is a normal procedure after landing, and it takes place at the Maintenance Control. Usually, I talk to the pilot and the ECMO's from the flight. I discuss their flight and any problems they might have had with any of the CNR systems during the flight. After the discussion with them, the ECMO-1 usually fills out the CNR debrief form.

NCIS (b)(6), (b)(7)(C) After the first flight of aircraft 02 that day, I think Capt NCIS (b)(6), (b)(7)(C) filled out the CNR debrief form. I think it is his writing on that form, but I am not 100 percent sure. The reason I think he filled out the form is because ECMO-1 usually does it. I filled out the top and bottom sections on that form.

NCIS (b)(6), (b)(7)(C) During the CNR debrief, the aircrew is supposed to tell me about any problems or discrepancies they had with any of the CNR systems during their flight. They should make me aware of a problem, no matter how small, because we need to make sure that problem gets fixed.

NCIS (b)(6), (b)(7)(C) If the aircrew has any gripes on CNR systems from their flight, they are supposed to note it on the CNR debrief sheet and then fill out a gripe sheet. They usually do that while I'm still there, right after we discussed the problem. Then they hand the gripe sheet over to the Maintenance Control.

001096

NCIS (b)(6), (b)(7)(C) Special Agents NCIS (b)(6), (b)(7)(C) showed me a copy of the CNR debrief sheet from the first flight of aircraft 02 on 03Feb98. It has Capt NCIS (b)(6), (b)(7)(C) listed as the Pilot and Capt NCIS (b)(6), (b)(7)(C) listed as the ECMO. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The sheet also indicates the INS system was working "great!" on that flight. That tells me that the INS system did not drift past the normal tolerance areas. I think the normal drift tolerance for the INS is 1 mile the first hour of flight, and then either 1.5 or 2.5 miles for each hour after that. Since the entry in the INS section of that form says "great!", I would think that there was little drift and no other problems with it on that flight. Also, it has been my experience that when the aircrews come back and gripe the INS for drifting, the INS is usually way off, like 75 to 100 miles NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The CNR debrief form also shows the RADALT was working "good" on that first flight. That tells me the aircrew did not experience any problems with it during their flight that day. If they had a problem with the RADALT, they should have told me about it, noted it on the CNR debrief form and griped it. That is what the aircrews normally do. Even if there is a small problem or a small discrepancy, the aircrews should make us aware of it on the ground. The pilots and ECMO's in our squadron have griped minor discrepancies such as the RADALT cycling above 5,000' AGL in the past. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) The CNR debrief form also has a comment at the bottom. It talks about the radar sweep. That was probably a focus problem which is not a big problem and easily adjusted. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Overall, after taking a good look at that CNR debrief sheet today, I think the aircrew did not experience any problems with the CNR systems during their flight that day, and the CNR systems on that aircraft were functioning properly that day. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) Also, aircraft 02 was the best plane in the squadron. At the time of the mishap, there were no outstanding gripes on that aircraft. FOR COMNAV NCIS (b)(6), (b)(7)(C)

AS FAR AS COMNAV SYSTEM

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

NCIS (b)(6), (b)(7)(C) On the afternoon of 03Feb98, I was at the launch of the mishap flight. I was trouble shooting at the launch to be sure the aircraft didn't have any problems. I think SSgt NCIS (b)(6), (b)(7)(C) from the ECM Shop, was there with me. Before the plane actually launched, there was a period when the aircrew was waiting for something. The aircrew was inside the aircraft at this time. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) At one point, 1LT NCIS (b)(6), (b)(7)(C) told me someone was bringing some tapes over to the aircrew. He asked me to run over to a car and get the tapes. He told me to get the tapes for Capt NCIS (b)(6), (b)(7)(C). He did not say what kind of tapes. I thought he was talking about the RRS tapes from TERPES. The car was

about 50 yards away. Cp[redacted] the Armorer, was driving it. There was no one else in the car with him. The car was a blue, small size, European style car, which I think was a rental. When I got to the car, Cp[redacted] handed me a small white plastic bag. It was the kind of bag you get at the store if you bought little pieces of candy. The bag was smaller than an 8 x 10 sheet of paper. I think it was about half that size.

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

I have seen and held the Mission Load/Record (RRS) tapes before. They are bigger and heavier than the tapes in the bag I got from Cp[redacted]. Besides, Cp[redacted] does not have a security clearance to my knowledge, so he should not have been in possession of the RRS tapes. The bag I got from Cp[redacted] was small and lightweight, like it could have had one or two 8mm style VCR tapes in it. This package was small enough that I could palm it when I ran it over to the aircraft. I would not have been able to do that with four of the RRS tapes. After I got the bag from Cp[redacted] I ran it over to the aircraft. I ran up to the ECMO-1 side of the aircraft where Capt [redacted] was. I reached up to hand the bag to him. He reached down and took the bag from me. He said thanks, and I left the plane. The plane took off shortly after that.

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

I was wearing blue coveralls at the time I retrieved the bag and gave it to Capt [redacted]

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

Until this interview with Special Agents [redacted] today, no one has asked me about what was in the bag I got from Cp[redacted] and gave to Capt [redacted] before the mishap flight.

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

This statement, consisting of this page and 2 other 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 signature area]

14 MAY 98 1432
Date Time

Sworn to and subscribed before me this 14th day of May, 1998 at NCISRA Cherry Point, NC.

[redacted signature area]

SA NCIS
WITNESS

Special Agent, U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
AUTH: SECNAVINST 5520.3B OF 04JAN93

PAGE 3 OF 3 [redacted]

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 TELEPHONIC CONTACT WITH [REDACTED] NCIS (b)(6), (b)(7)(C)
[REDACTED] NCIS (b)(6), (b)(7)(C)

ON 18MAY98, DOTTOR [REDACTED] NCIS (b)(6), (b)(7)(C) DISTRICT ATTORNEY, COURT OF JUSTICE, TRENTO, ITALY, WAS TELEPHONICALLY CONTACTED BY REPORTING AGENT REGARDING THREE (3) ISSUES.

FIRST ISSUE: THAT MILITARY TRIAL COUNSELS IN THE UNITED STATES WERE RESPECTFULLY REQUESTING THAT HE ALLOW NCIS AGENTS TO SECURE THE CANOPY OF THE EA-6B PROWLER AT AVIANO AIR BASE WITH EVIDENCE TAPE TO MAINTAIN THE INTEGRITY OF ITS CONTENTS. [REDACTED] NCIS (b)(6), (b)(7)(C) RESPONDED HE DID NOT THINK IT WAS NECESSARY SINCE THE PROWLER WAS ALREADY UNDER 24-HOUR CARABINIERI (PARA-MILITARY POLICE) PROTECTION IN A SECURE HANGER AT AVIANO AIR BASE. [REDACTED] NCIS (b)(6), (b)(7)(C) ALSO RELATED THAT IN THE EVENT HE HAD TO GET INTO THE COCKPIT OF SUBJECT PROWLER, FOR ANY REASON, HE DID NOT WANT TO BE HINDERED.

SECOND ISSUE: REPORTING AGENT ASKED [REDACTED] NCIS (b)(6), (b)(7)(C) IF HE COULD PROVIDE THE DATE IN WHICH THE CAMCORDER WAS REMOVED, AT HIS REQUEST, BY THE CARABINIERI, FROM THE COCKPIT OF THE MARINE EA-6B PROWLER IN QUESTION, AND TURNED OVER TO HIM [REDACTED] NCIS (b)(6), (b)(7)(C) FOR SAFEKEEPING AT THE TRENTO JUSTICE BUILDING VAULT, AS WELL AS THE CAMCORDER'S CHAIN OF CUSTODY. [REDACTED] NCIS (b)(6), (b)(7)(C) DID ACKNOWLEDGE THE CAMCORDER IN QUESTION WAS REMOVED FROM THE PROWLER'S COCKPIT BY THE CARABINIERI, AT HIS REQUEST, AND TURNED OVER TO HIM; HOWEVER, HE DECLINED TO PROVIDE THE CAMCORDER'S CHAIN OF CUSTODY OR THE DAY IT WAS REMOVED THE PLANE'S COCKPIT. ACCORDING TO [REDACTED] NCIS (b)(6), (b)(7)(C) HE WAS REFRAMING FROM RELEASING THIS INFORMATION BECAUSE HE DID NOT WANT TO BE PART OF THE EVIDENTIARY CHAIN OF CUSTODY.

THIRD ISSUE: REPORTING AGENT RESPECTFULLY ASKED [REDACTED] NCIS (b)(6), (b)(7)(C) IF, IN THE FUTURE, HE WOULD BE KIND ENOUGH TO APPRISE NCIS OF ANY DECISIONS HE MAKES WHICH WOULD IMPACT SUBJECT INVESTIGATION, SUCH AS THE REMOVAL OF THE CAMCORDER FROM THE PROWLER'S COCKPIT. REPORTING AGENT EXPLAINED TO [REDACTED] NCIS (b)(6), (b)(7)(C) THAT IN THE CASE OF THE CAMCORDER IN QUESTION, U.S. OFFICIALS AT AVIANO AIR BASE DID NOT NOTIFY NCIS OF THE CAMCORDER'S REMOVAL FROM THE PROWLER'S COCKPIT.

AGENT'S NOTE: [REDACTED] NCIS (b)(6), (b)(7)(C) WAS VERY COURTEOUS DURING THE TELEPHONE CONVERSATION, AND ADVISED NOT TO TAKE ANY OF HIS DECLINATIONS TO PROVIDE INFORMATION PERSONAL. [REDACTED] NCIS (b)(6), (b)(7)(C) ASSURED REPORTING AGENT THAT ONCE THE ROGATORY WAS APPROVED HE WOULD ASSIST US ON ALL OUR INVESTIGATIVE NEEDS.

REPORTING AGENT: [REDACTED] NCIS (b)(6), (b)(7)(C)
OFFICE: NCISRA SIGONELLA, ITALY

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PAGE 1 OF 1 [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

INVESTIGATIVE ACTION: REVIEW OF TERPES RRS TAPE LOG

On 21May98, Reporting Agent (RA) and Participating Agent (PA) NCIS (b)(6), (b)(7)(C) met with Cpl NCIS (b)(6), (b)(7)(C) at VMAQ-2, MCAS Cherry Point, NC. NCIS (b)(6), (b)(7)(C) is a Tactical Electronic Reconnaissance Processing and Evaluation System (TERPES) analyst with VMAQ-2. NCIS (b)(6), (b)(7)(C) allowed RA and PA to review the logbook which controls the issuance and return of RRS tapes that are utilized by the EA6B aircraft in the squadron. Enclosure (1) is a photocopy of the front of the logbook. Enclosure (2) is a photocopy showing Captain NCIS (b)(6), (b)(7)(C) signing out three RRS tapes. Enclosure (3) is a photocopy showing the tapes were incorrectly logged back in the logbook.

ENCLOSURES:

- (1). Photocopy of TERPES RRS Tape Log Book Cover/19Sep96
- (2). Photocopy of entry where Cpl NCIS (b)(6), (b)(7)(C) signed for tapes/03Feb98
- (3). Photocopy of entry showing tapes incorrectly signed in/09Feb98

Participating Agent

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

BIOGRAPHICAL DATA

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

SSAN

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

POB:

REPORTED BY:

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

OFFICE:

NCISFO Carolinas, Camp Lejeune, NC

DATE TYPED:

22MAY98

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TAPES	ITEM	NAME	SIG.	OUT	IN
L3A	RRS TAPES			980120	
L4A	RRS TAPES			980121	
L5A	RRS TAPES			980121	
L3B	Smart 1+2 RRS TAPES			980122	
L4A	RRS TAPES			980122	
L3A	RRS TAPES			980122	
L4A	RRS TAPES			980123	
L5A	RRS TAPES			980123	
L4A	Smart 1+2 RRS TAPES			980124	
L3A	Smart 3+4 RRS TAPES			980124	
L6A	Smart 6+7 RRS TAPES			980124	
L4A	RRS TAPES			980127	
L3A	RRS TAPES			980127	
L3B	Smart 1+2 RRS TAPES			980127	
L4A	RRS TAPES			980128	
L3A	RRS TAPES			980128	
L4A	RRS TAPES			980128	
L3A	Smart 1+2 RRS TAPES			980129	
L3B	RRS TAPES			980129	
L4A	Smart 1+2 RRS TAPES			980136	
L3A	RRS TAPES			980130	
L4A	Smart 1+2 RRS TAPES			980202	
L3A	Smart 3+4 RRS TAPES			980202	
L4A	3+4 RRS TAPES			980202	
L3A	1+2 RRS TAPES			980203	
L3B	RRS TAPES			980203	
L4A	Smart 1+2 RRS TAPES			980206	
L3A	Smart 3+4 RRS TAPES			980207	

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

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

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

BBB
BBB
BBB
BBB

ENCLOSURE

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 HM1 [REDACTED] NCIS (b)(6), (b)(7)(C)

On 26 May 98, Reporting Agent (RA) interviewed HM1 [REDACTED] NCIS (b)(6), (b)(7)(C) the Marine Air Group (MAG) 14 Aid Station at MCAS Cherry Point, NC [REDACTED] NCIS (b)(6), (b)(7)(C) a Hospital Corpsman who was assigned to VMAQ-2 while they were deployed to Aviano, Italy from Aug 97 until Feb 98.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he was in his hooch at Aviano which was located next to the medical hooch when he first learned of the aircraft mishap. [REDACTED] NCIS (b)(6), (b)(7)(C) said he went to the Medical hooch and heard over the crash net that there was an in-flight emergency involving an EA6B [REDACTED] NCIS (b)(6), (b)(7)(C) said as part of his duties he responded to all of these type calls, and he knew VMAQ-2 had the only EA6B's at Aviano, so it had to be one of their aircraft involved.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he called the ready room and talked to Capt [REDACTED] NCIS (b)(6), (b)(7)(C) the operations duty officer (ODO). [REDACTED] NCIS (b)(6), (b)(7)(C) said he spoke with [REDACTED] NCIS (b)(6), (b)(7)(C) confirmed it was a VMAQ-2 aircraft, but [REDACTED] NCIS (b)(6), (b)(7)(C) did not know any of the particulars.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he heard the crew had landed safely, so he called the ODO again and inquired who the crew consisted of. After learning this [REDACTED] NCIS (b)(6), (b)(7)(C) said he pulled the medical records for the three VMAQ-2 crewmen, and paged LT [REDACTED] NCIS (b)(6), (b)(7)(C) the VMAQ-2 flight surgeon, twice attempting to make contact with him. [REDACTED] NCIS (b)(6), (b)(7)(C) said he then headed for the ready room.

[REDACTED] NCIS (b)(6), (b)(7)(C) said the four crewmen were in the ready room when he arrived, and Capt [REDACTED] NCIS (b)(6), (b)(7)(C) was complaining of one of his heels hurting. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was checking on [REDACTED] NCIS (b)(6), (b)(7)(C) just making sure he had good circulation and neurological signs when LT [REDACTED] NCIS (b)(6), (b)(7)(C) made it to the ready room. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was also involved in attempting to locate Capt [REDACTED] NCIS (b)(6), (b)(7)(C) medical records as he knew they would be needed for the mishap procedures.

[REDACTED] NCIS (b)(6), (b)(7)(C) said shortly after LT [REDACTED] NCIS (b)(6), (b)(7)(C) arrived he left to go get a blue van to transport the crew to the 31st Medical Group Clinic [REDACTED] NCIS (b)(6), (b)(7)(C) said he returned to the ready room where all four crewmen got in the van along with him and LT [REDACTED] NCIS (b)(6), (b)(7)(C) and he drove them to the clinic. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was involved in preparing mishap packages which included getting fluids drawn along with a great deal of paperwork. [REDACTED] NCIS (b)(6), (b)(7)(C) said he stayed with [REDACTED] NCIS (b)(6), (b)(7)(C) when he initially went to X-RAY, and LT [REDACTED] NCIS (b)(6), (b)(7)(C) took the other three to the lab.

[REDACTED] NCIS (b)(6), (b)(7)(C) said he had very limited conversation with crewmen, just enough to complete his tasks and fill out appropriate paperwork. [REDACTED] NCIS (b)(6), (b)(7)(C) said the only thing he remembered anyone saying about the mishap was one of them said something like, "It felt like a big bump." [REDACTED] NCIS (b)(6), (b)(7)(C) said he was unsure who said this, and indicated LT

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NCIS (b)(6), (b)(7)(C) being an officer himself was more involved in conversation with the crewmen than he was. NCIS (b)(6), (b)(7)(C) said when he was around them they all seemed pretty quiet and just seemed relieved to be alive.

NCIS (b)(6), (b)(7)(C) said they had basically completed everything they needed to get done at the clinic when they were told by an Air Force MSGT that by order of Gen. NCIS (b)(6), (b)(7)(C) they were to remain at the clinic and were not to watch any television. NCIS (b)(6), (b)(7)(C) said they just remained in a waiting area and nobody said much of anything. This included the four crewmen, Lt. NCIS (b)(6), (b)(7)(C) and NCIS (b)(6), (b)(7)(C) said the crewmen were also talking to a female Air Force Psychiatrist for a time, but he did not know what was being said. Eventually Lt. NCIS (b)(6), (b)(7)(C) arrived at the clinic and said he had some bad news for them. NCIS (b)(6), (b)(7)(C) said NCIS (b)(6), (b)(7)(C) told them they had apparently struck a cable, and a gondola had fallen killing 15 people. NCIS (b)(6), (b)(7)(C) said he thought it was Captain NCIS (b)(6), (b)(7)(C) who said something like, "I need to pray." NCIS (b)(6), (b)(7)(C) said they were eventually allowed to leave the clinic after NCIS (b)(6), (b)(7)(C) had spoken with them.

NCIS (b)(6), (b)(7)(C) said by the time they returned to the squadron area it was all over Italian television about the mishap. NCIS (b)(6), (b)(7)(C) said the following day he picked up the four crewmen and took them back to the medical clinic for complete physicals. NCIS (b)(6), (b)(7)(C) said he never had conversation with them or overheard anything specifically relating to the mishap.

BIOGRAPHICAL DATA

EMPLOYMENT: HM1, USN, 2DMAWMED, MCAS Cherry Point, NC

SSAN: [REDACTED]

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

POB: [REDACTED]

REPORTED BY: NCIS (b)(6), (b)(7)(C)
OFFICE: NCISFO Carolinas, Camp Lejeune, NC
DATE TYPED: 28MAY98

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PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: INQUIRIES REGARDING MISHAP CREW NAVCARD

On 28May98, Reporting Agent (RA) contacted Major [REDACTED] NCIS (b)(6), (b)(7)(C) Operations Officer (OPSO) at VMAQ-3, MCAS Cherry Point, NC. The purpose of this inquiry with [REDACTED] NCIS (b)(6), (b)(7)(C) was to attempt to identify the person who had prepared the Navigation Card (NAVCARD) utilized by the mishap crew. A copy of the card is appended as enclosure (1). This card was dated 01Apr97, and had a call sign of [REDACTED] NCIS (b)(6), (b)(7)(C) which was a call sign known to be from VMAQ-3. RA asked if the data utilized to make this NAVCARD was retrievable from the Tactical Electronic Attack Mission System (TEAMS) computer system of VMAQ-3. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated this data was no longer retrievable as they had changed software twice since this card had been made, and there was no data still available. [REDACTED] NCIS (b)(6), (b)(7)(C) indicated a USMC Colonel (name could not be recalled) had asked about this same thing shortly after the mishap, and at that time a search of the system was made which determined the data was not retrievable. Further [REDACTED] NCIS (b)(6), (b)(7)(C) advised that even if the data was retrievable, there is nothing on the card or data input, such as initials, that would identify who made the card. Further the command used a generic log-on password which could not be traced to a specific person.

RA asked [REDACTED] NCIS (b)(6), (b)(7)(C) if he could check flight schedules around the date of the NAVCARD and attempt to identify the air crew who had made and utilized the card. A check of the flight schedule for 02Apr97 revealed a crew consisting of Captain [REDACTED] NCIS (b)(6), (b)(7)(C) Major [REDACTED] NCIS (b)(6), (b)(7)(C), Captain [REDACTED] NCIS (b)(6), (b)(7)(C) and Captain [REDACTED] NCIS (b)(6), (b)(7)(C) were scheduled for the AB 47 route (same as AV047) mishap route, enclosure (2) pertains. Further [REDACTED] NCIS (b)(6), (b)(7)(C) provided RA with enclosure (3) which confirms the low level was flown as planned.

RA made contact with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) who was shown a copy of the NAVCARD. [REDACTED] NCIS (b)(6), (b)(7)(C) said he did remember making this low level flight, but was not positive who may have made the NAVCARD. [REDACTED] NCIS (b)(6), (b)(7)(C) said he was certain it was not Major [REDACTED] NCIS (b)(6), (b)(7)(C), and said it was more likely himself or the pilot, Captain [REDACTED] NCIS (b)(6), (b)(7)(C) who made the card. Upon further inspection [REDACTED] NCIS (b)(6), (b)(7)(C) said he felt like it was likely Captain [REDACTED] NCIS (b)(6), (b)(7)(C) who made the card due to some on the hand written notations on the card. [REDACTED] NCIS (b)(6), (b)(7)(C) said he had been very involved in the TEAMS system as this was one of his collateral duties at one time, and he confirmed there had been two software changes since this card was made, and the information was no longer retrievable from their TEAMS machine.

RA later made contact with Captain [REDACTED] NCIS (b)(6), (b)(7)(C) Captain [REDACTED] NCIS (b)(6), (b)(7)(C) was shown a copy of the NAVCARD and confirmed he had made the NAVCARD. [REDACTED] NCIS (b)(6), (b)(7)(C) said he recognized the hand writing on the card as being his. [REDACTED] NCIS (b)(6), (b)(7)(C) said this was the only time he flew this route and he specifically remembered briefing it at 1000 ft AGL with a planned

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airspeed of 420 knots. NCIS (b)(6), (b)(7)(C) said at the time he flew the route it had been a long time since his last low level flight, therefore his comfort level did not allow him to fly close to 1000 ft AGL. NCIS (b)(6), (b)(7)(C) said he probably did not fly lower than 1200 ft AGL on this mission. NCIS (b)(6), (b)(7)(C) said it was definitely the best low level route he had flown relating to the scenery, and it was apparent to him that the route went through location with ski/recreational areas throughout.

RA asked NCIS (b)(6), (b)(7)(C) specifically where the figures came from regarding altitudes that are located in the far right column of the NAVCARD. NCIS (b)(6), (b)(7)(C) said he was unsure exactly where the figures came from or what they really meant. NCIS (b)(6), (b)(7)(C) said he made the NAVCARD while referring to copies of copies of some Air Force documents. NCIS (b)(6), (b)(7)(C) said he did plug all these figures into the NAVCARD program, but did not really know what the altitudes had to do with. NCIS (b)(6), (b)(7)(C) was asked what the Air Force documents were he was referring to, and said he did not know, but thought they were just some documents that were in the squadron's chart file while they were in Aviano.

NCIS (b)(6), (b)(7)(C) said he did not take anything regarding altitudes from the NAVCARD as altitude restrictions. NCIS (b)(6), (b)(7)(C) said the NAVCARD is just used as a quick gouge for things like headings, lat-longs, fuel consumption, etc. NCIS (b)(6), (b)(7)(C) said for actual altitude restrictions he would refer to the flight chart which would have the altitude restriction on it.

ENCLOSURES:

- (1). Copy of NAVCARD utilized by mishap crew/01Apr97
- (2). Copy of VMAQ-3 flight schedule for 02Apr97/02Apr97
- (3). Copy of VMAQ-3 ODO master/corrected flight schedule/undated

BIOGRAPHICAL DATA

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

EMPLOYMENT: Capt, USMC, VMAQ-3, MCAS Cherry Point, NC

SSA

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

POB:

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

OFFICE: NCISFO Carolinas, Camp Lejeune, NC

DATE TYPED: 29MAY98

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Pages 1108 through 1110 redacted for the following reasons:

Enclosures (1 - 3) to Exhibit (189): Referred to United States Marine Corps

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: Examination of EA6B Prowler

On 01 June, 1998, reporting agent and participating agents conducted an examination of the mishap incident aircraft. This aircraft, a USMC "Prowler" EA6B, was examined at the Hardened Aircraft Shelter (HAS) #T-29, Aviano Air Base, Italy. This examination was made subsequent to access to the HAS by two Italian Carabinieri representatives [REDACTED] NCIS (b)(6), (b)(7)(C) and Auxiliary Carabinieri [REDACTED] NCIS (b)(6), (b)(7)(C) both assigned to the Aviano Air Base Carabinieri Station. Carabinieri representative [REDACTED] NCIS (b)(6), (b)(7)(C) who remained present during the examination including the following day's conclusion, as discussed below, further witnessed this evolution. HAS T-29 was unsecured for this examination at 0927, 01 June 1998 by MSGT Jeffrey S. COLZANI, USAF, 31ST OSS, Aviano Air Base (DSN telephone number 632-7278).

For further identification, the Prowler examined bears tail number 163045 and the unit markings of VMAQ-2. It had readily apparent damage to the front side of the starboard (right side) wing, the far right pod, and the "football." Further examination, as discussed below, identifies detailed damages.

During the course of this examination, two series of photographic documentation were made and will be reported in an additional investigative action (IA). Photographic coverage was made of the aircraft, interior and exterior, and of all items recovered and seized from the aircraft. Further, inside HAS T-29, was a secured wooden crate reportedly containing items collected at the death scene near Cavalese, Italy by Italian authorities. These items reportedly were subsequently crated in this box by Italian authorities after it had been inventoried and transported from a prior hanger to T-29. On 01JUN98, the contents of the crate were made available to US representatives (NCIS) for the first time. Additionally, parts of the examination were videotaped and this original tape has been secured in the NCIS evidence system.

EXHIBIT (1957)

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The examination was comprised of an initial visual inspection of the exterior of the aircraft. Next, the videotape was made, followed by still photography. Individual damage areas were examined in detail, sketches made of same, still photography re-shot with measurements, and items applicable to respective damage areas were seized. Further, the interiors of the forward and aft canopies were examined from outside the canopies. After the canopies were lifted, similar examinations were made of these respective areas. As described in detail below, all items foreign to the aircraft were identified, seized, and entered into the evidence custody system.

PHYSICAL SEARCH

Upon thorough review of the EA6B, eight places of damage were noted. Enclosure (1) is a depiction of the EA6B identifying nomenclature for the aircraft, and is from the NAVAIR manual 01-85ADC-3-2.1. Enclosure (2) contains three various views of a drawing of the aircraft, and depicts these eight areas of damage as follows: Area of damage (AOD1) #1 is identified as the external "slicing" of the starboard wing (there are two "slices" on this wing and shall be referred to as "external" and "internal"); AOD2 is the internal "slicing" of the wing; AOD3 is the "slicing off" of the starboard jamming pod (hence forth referred to as the "pod"); AOD4 is the missing portion of one of the four propeller (prop) blades from the front of the pod; AOD5 is the surface scratching of the top exterior side of the pod; AOD6 is two small indentation marks on the front of the starboard stabilizer (rear "wing" to a layman); AOD7 is the frontal "slashing" of the tailfin/POD assembly (henceforth and commonly referred to as the "football"), and; AOD8 is the port side damage toward the aft end of the football, which essentially is a hole in the football.

AOD1: This damage amounts to a "slicing" indentation of the starboard wing, occurring at the front of the wing and intruding the wing in an inward manner. The AOD is at the seam of the wing (and beyond) which is where the wing is capable of folding upward (for storage, transportation purposes). Enclosures (3) and (4) are sketches of this damage as viewed from above and below the damage, respectively. These sketches include all applicable measurements (in inches), as do all sketches of other AOD's that

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follow in this report. Facing the front of the damage, looking at the front of the wing head on, the approximate angle of impact is 43 degrees from horizontal inclining to the right (toward the fuselage). Noted in the open gap (damage area) were loose strands of wire not connected to any part of the aircraft wing mechanism. Items seized from this AOD will be reflected in the "EVIDENCE SEIZURE" section of this report, below. Further, it should be noted that the sketches do not reflect individual "layers" of damage occurring to the wing's skin which are better identified in the photographic report from this examination. This caveat applies to all areas of damage detailed in this report.

AOD2: This damage amounts to a similar "slicing" indentation of the starboard wing, also occurring at the front of the wing and intruding the wing inward. This AOD is located between the AOD1 and the fuselage, and occurs at the point at which the front line of the wing becomes straight toward the wing tip. Enclosures (5) and (6) are sketches of this damage as viewed from above and below the damage, respectively. The angle of impact was measured and determined to be approximately 43.754 degrees from horizontal, also inclining to the right. A physical search of this AOD resulted in the collection of evidence, as will be reflected in the "EVIDENCE SEIZURE" section of this report, below.

AOD3: This damage is on the starboard jamming pod. Under the starboard (right hand) wing of the aircraft are two large items that hang down from their respective mounting points of the underside of the wing. The item closest to the fuselage is a fuel tank and is apparently undamaged. The item further out toward the wing tip, which is called the starboard jamming pod, is the sight of damage. This "pod," which exceeds 12 feet in length, has a fiberglass shell which covers the lower half of the pod, and when standing alone has the appearance of a canoe. As viewed from the front, the lower shell of the pod appears to be "sliced" off. The slicing angle matches that of AOD2, and was photographed demonstrating the direct line damage between AOD2 and AOD3. Enclosures (7) and (8) are sketches of this AOD reflecting starboard and port views of the pod, respectively. Further, damage was observed on the rear of two ventilation ribs located above the shell on the interior side of this pod, as depicted in enclosure (8).

AOD4: This damage occurs on one of the four propeller (prop) blades located at the front of the pod identified in AOD3. Specifically, the lower right hand corner of the blade (as seen from the fuselage looking outward, with the blade in the down (6 O'clock)

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position) has a piece approximately 1.5" x 7/8" missing. Enclosure (9) is a sketch of this AOD. The search of the aircraft did not produce this missing piece, which appears to have been sheared off. Further noted was the front tip of the blade, corner "A" of enclosure (9), which was slightly bent, unlike any other prop blade on the aircraft's pods.

AOD5: Also located on the pod identified in AOD3, is AOD5. This damage is described as a topical scraping on the upper half of the pod, located on the far right hand side toward the front. The scraping is reflected in several layers and at its worst exposes bare metal. No items of evidentiary value were obtained from this AOD. Enclosure (10) is a sketch of this area.

AOD6: The aircraft's starboard stabilizer (the right rear "wing" to a layman) was examined and determined to have slight damage to it. This damage is depicted in a sketch, enclosure (11) pertains. Specifically, this damage is limited to two small nicks (less than one square inch in total surface area) on the front of the stabilizer, and related striations of the stabilizer's painted surface just above each nick mark.

AOD7: Between the starboard and port stabilizers, extending vertically upward, is the EA6B's tail fin. Atop the tail fin is the tail fin pod assembly (AOD7), which was significantly damaged. This item is commonly referred to as "the football." Specifically, AOD7 is a "slicing gash" to the front of the football and is apparent from views from either side as well. From the front, the "slice" was measured at 36.027 degrees from the horizontal line as extending upward to the right. Enclosures (12), (13), and (14) are sketches of the football's forward damage as viewed from the front, starboard profile, and port profile, respectively. This "gash" exposes the inner mechanism of the football, and allows easy visual observation of the interior damage, which includes smashed pieces of metal and various electronic devices.

AOD8: Further damage has been noted on the aft section of the football, port side, as depicted in enclosure (15), a sketch of same. This damage amounts to a hole in the skin at this location exposing the inner mechanism of the football. The internal devices were noticeably damaged (smashed and broken loose). Further, significant portions of the aircraft's skin around the perimeter of this hole had paint and surface damage.

The cockpits, forward and aft, were physically searched and examined. It was determined that no evidence of photographic equipment, or related instruments, was

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present at the onset of this search. Other items were identified and subsequently seized however, as identified below in the "EVIDENCE SEIZURE" section of this report. Enclosure (16) reflects diagrams of various parts of the forward cockpit relative to this search, specifically, the radar altimeter (AGL, or Above Ground Level), it's respective location in the pilot's instrumentation panel, and the seating arrangements. The radar altimeter is identified in the enclosure as item "R" on the diagram. Enclosure (17) depicts the instrumentation panel of the aft cockpit. No AGL radar altimeter is included in this panel. It was further noted that the pilot's seat is the port side (forward facing) seat of the forward cockpit, while the ECMO 1 seat is located to the starboard side. In the aft cockpit, the ECMO 2 seat is that on the starboard side and the ECMO 3 seat is that to the port side, directly behind the pilot. Additionally, a search of all areas of the cockpits in which a video-recording device could potentially have been mounted was conducted. This search disclosed no apparent residue of adhesives or any evidence such a mounting had occurred.

Further examination was conducted concerning area of view for the ECMO 1 relative to the pilot's instrumentation panel. Specifically, without adjusting the seats at all from their positions as found when the cockpit was entered, RA and PA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) respectively) each sat in the ECMO 1 seat and observed the Radar Altimeter (identified in enclosure (1) as item 'R'). The Radar Altimeter was adjusted from the zero spot (approximately the 12 O'clock position) to the maximum spot (approximately the 11 O'clock position), clockwise, and back again for each agent. Each agent advised while seated he was able to clearly view the white gauge indicator from the beginning (12 O'clock) to about the 2 O'clock position, and clearly again from about the 4 to 5 O'clock position to the maximum position. Corresponding altitudes for the 4 to 5 O'clock position was about 500 feet, with the gauge set for pressure as found when the aircraft was initially entered. Further, even when not clearly visible in its entirety, the white gauge indicator was to some degree constantly visible throughout this evolution. For documentation purposes, this procedure was videotaped and is included on the videotape identified as evidence item "N," below.

EVIDENCE SEIZURE

During the examination, the following items of evidentiary value were seized from their respective places aboard the incident aircraft, as described below. These items were

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secured and tagged in accordance with NCIS policies, and held in a temporary evidence storage facility aboard Aviano Air Base until mailed via the U. S Postal Service to Camp Lejeune, NC's NCIS office at the direction of ASAC [redacted] (b)(6), (b)(7)(C). The below list includes: the locations of the actual seizures; the corresponding item "letter" as reflected in the NCIS evidence custody system; the time of day seized (local time), and; a description of the item. All items were seized on 01 June 1998 unless specifically identified as 02 June 1998. It should also be noted that the photographic "IA" report of this examination includes photographs of each of the items described below, with matching "identifier letters."

Forward cockpit: A: 1309: laminated card, approximately 3.5" x 6.5" marked "PLAYBOYS AVIANO (LIPA) LOCAL PRESET 02/98." This item is also marked "NATO CONFIDENTIAL" but RA was previously told by NATO representatives during this investigation that NATO had declassified this mission and it's related items. Item A was seized from the instrumentation panel between the forward cockpit's seats. Enclosure (18) is a copy of this card.

B: 1310: Blue canvas bag labeled "Royal Bag," located between the ECMO 1 seat and the forward windshield on the soft "dashboard" of the aircraft. The subsequent search of the contents of this bag disclosed it included numerous flight manuals. Specifically, the contents were five pilot handbooks, two maps, one flight crew checklist, and a canvas penholder bearing markings of [redacted] (b)(6), (b)(7)(C). Enclosures (19), (20) and (21) are copies of the fronts of some of these items. The maps were reviewed and did not disclose data pertinent to the investigation, specifically, markings for Cavalese, the ski area in question, or minimum AGL's.

C: 1312: Gray and green flight gloves, one pair, size "11." These gloves were discovered in the hood (out of apparent sight) of the ECMO 1 monitor.

Aft cockpit: D: 1313: Duplicate copy of item A, also laminated, located between ECMO 2 and ECMO 3 seats.

E: 1314: Black vinyl (leather look) bag containing two flight "load tapes" marked "SECRET." These tapes were further marked with serial number "6219" and "CONTRACT N00019-82-C-0004" respectively. This bag was discovered in the center stowage area between the two seats, just aft of Item D.

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F: 1315: One black canvas bag from on top of the seat of ECMO 2. This bag was further examined and found to contain four flight handbooks, one flight map, and assorted papers, some of which refer to minimum AGL's. Enclosures (22), (23), (24) and (25) are copies of some of these items. Enclosure (22) reflects itemized procedure #4, which refers to the minimum AGL of 1000 feet "over snow covered mountains", and other "low level procedures."

Forward cockpit: G: 1327: one "RADAR ALTITUDE" gauge from the pilot's instrumentation panel (as identified as "R" in enclosure (16)). This gauge was removed by RA and is marked with serial number "LLP5060" and "CONTRACT N00019-80-C-0547."

AOD 1: H: 1409: seized from within the damaged area itself were the following items which were separated into three different bags as follows. Bag 1/3 includes eleven assorted pieces of the aircraft, damaged parts; Bag 2/3 includes seven individual strands of very greasy metal cable, and; Bag 3/3 contains five strands of similar cable, less greasy as that previously mentioned.

AOD 2: I: 1437: seized from within the damaged area itself were the following items: eight miscellaneous pieces of (apparent) aircraft wing. Note, one piece of wire was loose on one end but cut from the wing by RA. The end, which was cut, was wrapped in tape and can be identified by these means.

AOD 3: J: 1501: seized from within the damaged area of the starboard pod itself, this is three miscellaneous pieces of (apparently) the incident aircraft.

Starboard stabilizer: K: 1417 (is time actually seized, but was logged on the evidence notes at 1542): one loose machine screw with Phillips style head, and one corresponding metal piece, actually seized from position on top of stabilizer near base of tail fin. Was located below AOD 7.

AOD 7: L: 1555 (is time actually seized, but these items were previously noted during physical search at 1434-1440): nine assorted pieces of (apparently) aircraft, as seen and seized from within damaged area.

AOD 2: M: 1641: one short strand of metal cut from within damaged area by RA. This strand looked like no other in this area of the wing, and the item could not be "pulled" from the interior of the wing using pliers, thus it was cut. The inside end of the strand

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where it attached to the aircraft (apparently) was not visible at all. SSGT [redacted] USMC, VMAQ-4 representative observing this examination was consulted. [redacted] is a member of the squadron's Maintenance section [redacted] stated he was unfamiliar with the strand of wire and that it was not part of the wing mechanism to the best of his knowledge. [redacted] did reserve the possibility that it could be part of the wing's safety system, and not an operation/electrical part. This was the last piece of evidence seized from the mishap aircraft.

From Reporting agent: N: 1852: one 8 MM video tape brand "RAKS" and marked "VIDEO 8" and "Video of EA6B mishap aircraft 01JUN98 KSR." This tape is that made by RA during the earlier phase of the examination and is approximately 15 to 20 minutes in duration.

At 1734, the Prowler was re-secured at HAS T-29 by SSGT [redacted] USMC (VMAQ-4 Maintenance Personnel) and the physical examination of the aircraft concluded. At the onset of the examination, a sealed wooden crate was noted on the floor of the hangar adjacent to the aircraft. Participating Agent [redacted] had been previously advised by Italian Air Force COL [redacted] Aviano Base Commander, that the items in this crate had been moved from the aircraft's prior location aboard the base and were crated in HAS T-29. The origin of these items was not known by examining agents. NCIS ASAC [redacted] Naples Field Office, had requested the contents of this crate be included in the examination and that items of an evidentiary nature be seized accordingly. At 1827, 01 June 1998, the sealed wooden crate was loaded into RA's Government vehicle and subsequently transported from T-29 to the NCIS temporary office at Building 1369, Aviano Air Base, Italy, where subsequent examinations were made. Meanwhile, USMC personnel remained at T-29 with Carabinieri representatives until the HAS, which still contained the mishap aircraft, was secured at approximately 1845.

The rest of the seizures occurred at Building 1369, Aviano Air Base, at the temporary NCIS office. Chronologically, all items from within the crate were removed item by item, documented initially with consecutive numbers, and processed. Investigative notes reflect these items beginning with "O" and continuing through "Z" then recycling as "AA" through "ZZ," then AAA" to "YYY," the last item. Processing including a review of each item, photographing each item with its corresponding letter identifier, and examining the item for evidentiary value. Following this processing, only specific items were seized as such. These items, listed below with the continued alphabetic sequence, will also reflect their "original" letter identifier in parenthesis which was the letter that corresponds with their respective photographs.

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From wooden crate: O (FF): 2148: plastic piece marked "ser no 2341" and "TOP ASSY 409761-1."

P (NN): 2158: one piece of metal marked "CONTRACT NOOO19-abc-0125". The "abc" depicts the space of three letters that are not legible.

Q (RR): 2203: one electronic metal device marked "SER NO: SHY00217"

R (TT): 2205: one piece of metal bearing partial identifier "CONTRACT NOOO19-86"

S (VV): 2208: one piece of metal bearing "SER NOQFB00055".

T (XX): 2211: one green colored metal piece, unidentified.

U (YY): 2214: two miscellaneous pieces: one is a wire with an end connector and the second is a metal fragment bearing serial number "NOQFB00022".

V (ZZ): 2216: one unidentified metal black box marked "serial no. 606" and "MSM 6492 D".

W (AAA): 2226: one piece of (apparent) aircraft skin with one wire strand loosely attached.

X (BBB): 2228: one green conic shaped piece of metal, unidentified.

Y (QQQ): 2256: three itemized (apparent) aircraft pieces, respectively marked "ser no 458," "CONTRACT NOO383-83-G-3907," and "SER NO 0820".

Note: at approximately 2307, 01 June 1998, the effort was suspended for the night. As all evidence was located within the NCIS temporary office, the office was secured in policy with local NCIS procedures. Examination continued at 0800, 02 June 1998. At this time, still photographs were taken of many of the items listed above. Following the photographic session, seizure of evidence continued.

Z (XXX): 0923 (02 June 1998): one piece of (apparent) aircraft wing, marked "ASSY 128CS10912-28".

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AA (YYY): 0927 (02 June 1998): one piece of (apparent) aircraft wing, marked "AIRCRAFT MOD EA6B" and "ALA-0354-88".

At 1118, 02 June 1998, this crate was sealed in the presence of Carabinieri representative [REDACTED] and returned to his custody. It included all original items less those identified above.

PARTICIPATING AGENTS

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

SPECIAL AGENT, NCISFO EUROPE
INTELLIGENCE OPERATIONS SPECIALIST, NCISFO
EUROPE

ENCLOSURES

1. NAVAIR MANUAL DIAGRAM OF EA6B "PROWLER"/01MAR96
2. OVERALL SKETCHES OF EA6B "PROWLER" DEPICTING DAMAGES/UNDATED
3. SKETCH OF AREA OF DAMAGE (AOD) 1, TOP VIEW/UNDATED
4. SKETCH OF AOD1, BOTTOM VIEW/UNDATED
5. SKETCH OF AOD2, TOP VIEW/UNDATED
6. SKETCH OF AOD2, BOTTOM VIEW/UNDATED
7. SKETCH OF AOD3, EXTERIOR PROFILE/UNDATED
8. SKETCH OF AOD3, INTERIOR PROFILE/UNDATED
9. SKETCH OF AOD4, SIDE VIEW/UNDATED
10. SKETCH OF AOD5, EXTERIOR PROFILE/UNDATED
11. SKETCH OF AOD6, FRONTAL VIEW/UNDATED
12. SKETCH OF AOD7, FRONTAL VIEW/UNDATED
13. SKETCH OF AOD7, STARBOARD PROFILE/UNDATED
14. SKETCH OF AOD7, PORT PROFILE/UNDATED
15. SKETCH OF AOD8, PORT PROFILE/UNDATED
16. FOUR ASSORTED DIAGRAMS OF FORWARD COCKPIT ITEMS/UNDATED
17. DIAGRAM OF AFT COCKPIT INSTRUMENTATION PANEL/UNDATED
18. COPY OF EVIDENCE ITEM "A"/FEB98
19. COPY OF ONE PIECE OF EVIDENCE ITEM "B"/15JUL97

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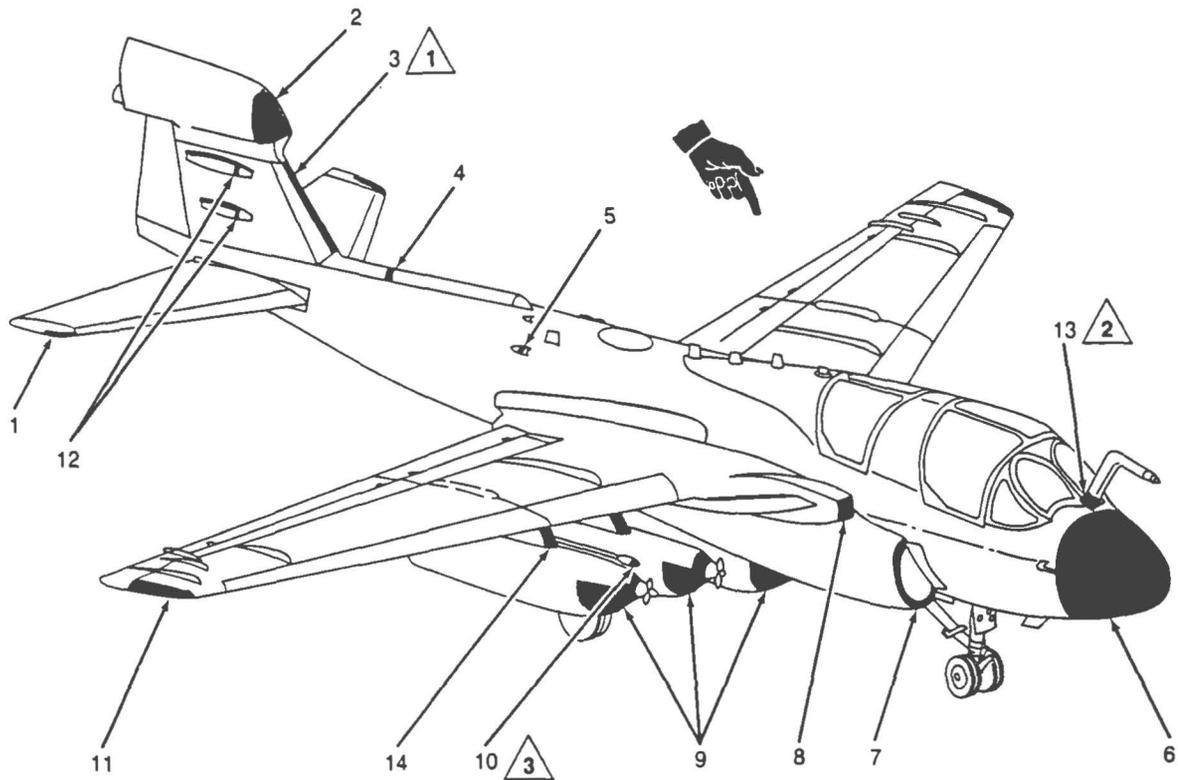
20. COPY OF CHECK LIST, ONE PIECE OF EVIDENCE ITEM "B"/UNDATED
21. COPY OF FLIGHT INFO PUB, FROM EVIDENCE ITEM "B"/11SEP97
22. COPY OF LOW LEVEL PROCEDURES FROM ITEM "F"/UNDATED
23. COPY OF HANDWRITTEN NOTES FROM ITEM "F"/UNDATED
24. COPY OF NOTES FROM ITEM "F"/UNDATED
25. COPY OF REVERSE SIDE OF (24) FROM ITEM "F"/UNDATED

Reporting Agent: NCIS (b)(6), (b)(7)(C)

Office: NCISFO Naples, Italy

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- 1. STABILIZER TIP CAP
- 2. TAIL FIN POD ASSEMBLY
- 3. TAIL FIN LEADING EDGE
- 4. FUSELAGE AFT SECTION DORSAL INSTALLATION
- 5. FUSELAGE MIDSECTION SIDE SKIN FAIRING INSTALLATION
- 6. NOSE RADOME
- 7. ENGINE AIR INLET DUCT LEADING EDGE
- 8. AIR CONDITIONING
- 9. P.S. AND LOW BAND TRACKING JAMMER PODS LEADING EDGE
- 10. ALQ100 ANTENNA FAIRING
- 11. WING TIP
- 12. BAND 1 AND 2 ANTENNA FAIRING
- 13. AIR REFUELING PROBE FAIRING
- 14. WING PYLON (4) LEADING EDGE

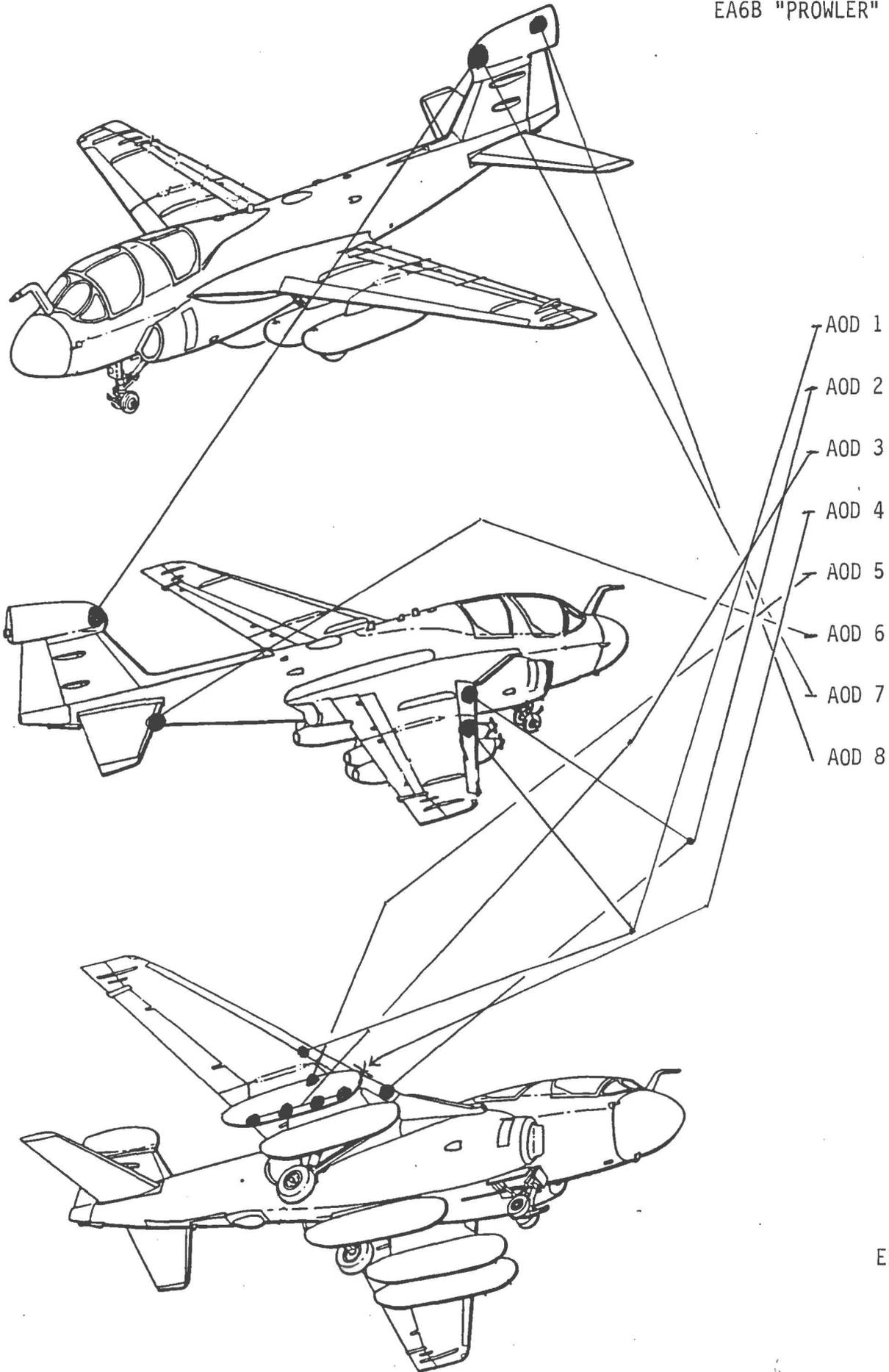
EFFECTIVITY

- 1** EA6B 158029 THROUGH 158031.
- 2** EA6B 158029 THROUGH 158651, 159907 AND SUBSEQUENT.
- 3** EA6B 158799 THROUGH 159587.

(AT)D-2ADC3-11

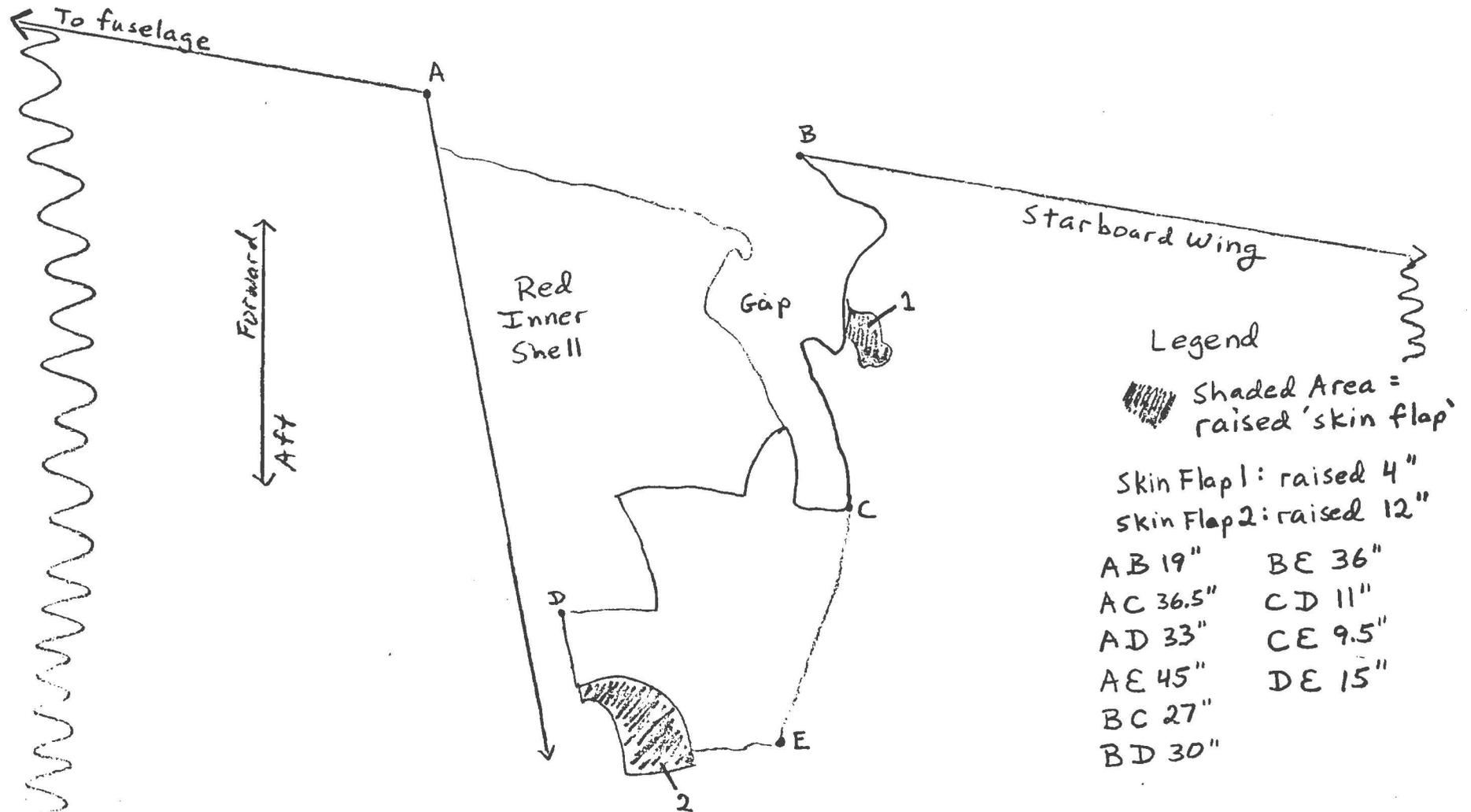
ENCLOSURE (1)

EA6B "PROWLER"

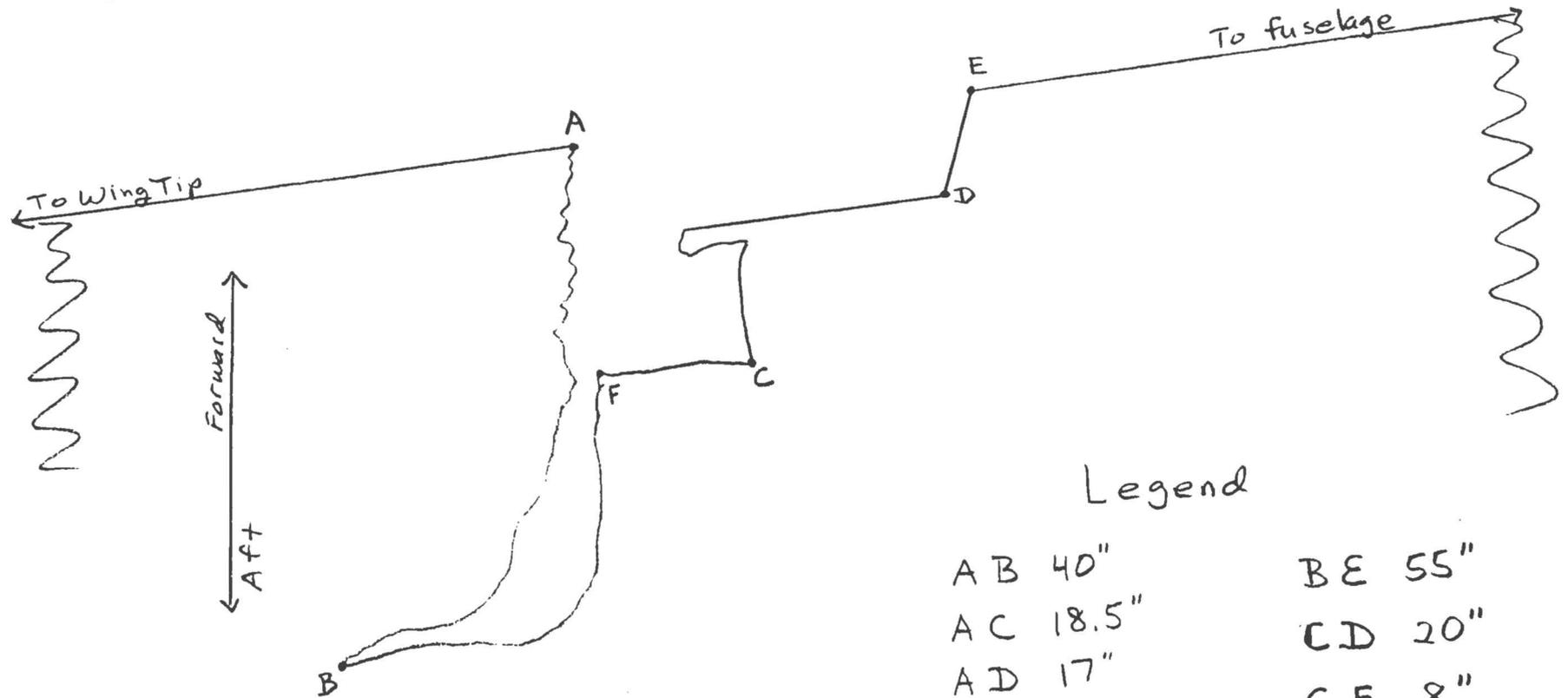


ENCLOSURE (2)

AOD 1
 Top View
 Looking Down
 Not to Scale



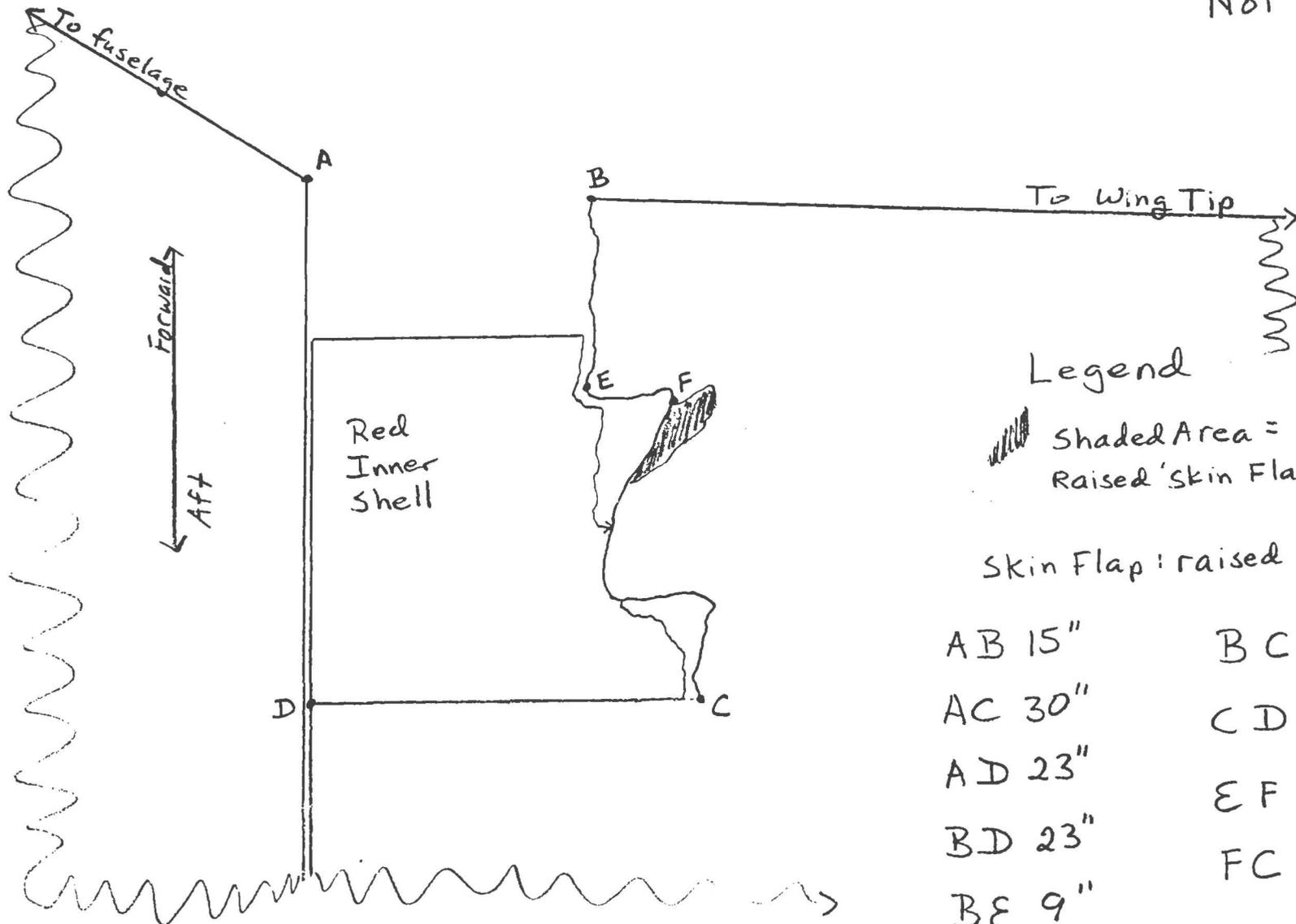
AUD 1
 Bottom View
 Looking Up
 Not To Scale



Legend

AB	40"	BE	55"
AC	18.5"	CD	20"
AD	17"	CF	8"
AE	19"	DE	6.5"
AF	18"	EF	31"
BD	50"		

AOD 2
 Top View
 Looking Down
 Not To Scale



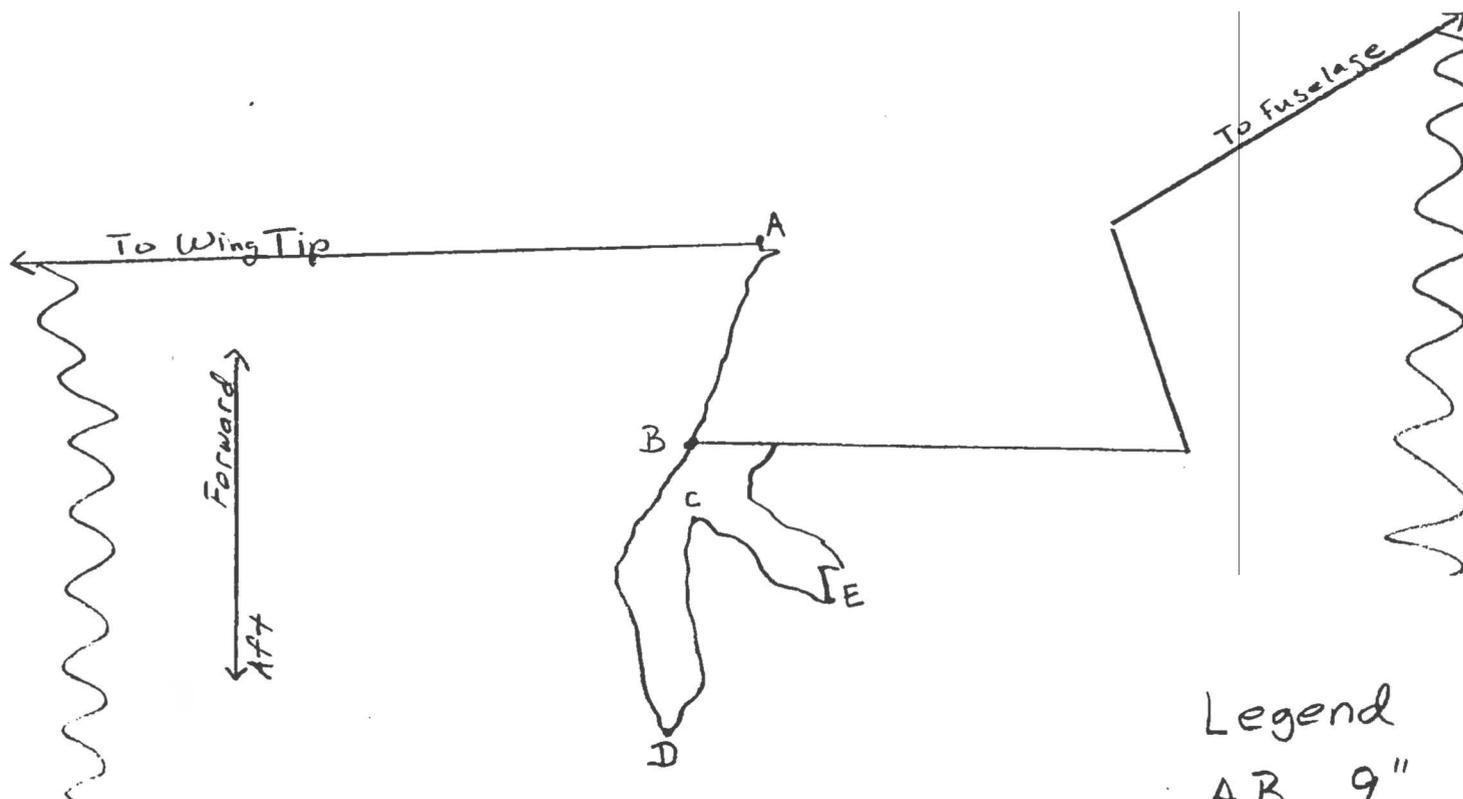
Legend

 Shaded Area =
 Raised 'skin flap'

Skin Flap: raised 4"

- | | |
|--------|----------|
| AB 15" | BC 21" |
| AC 30" | CD 19.5" |
| AD 23" | EF 4" |
| BD 23" | FC 11" |
| BE 9" | |

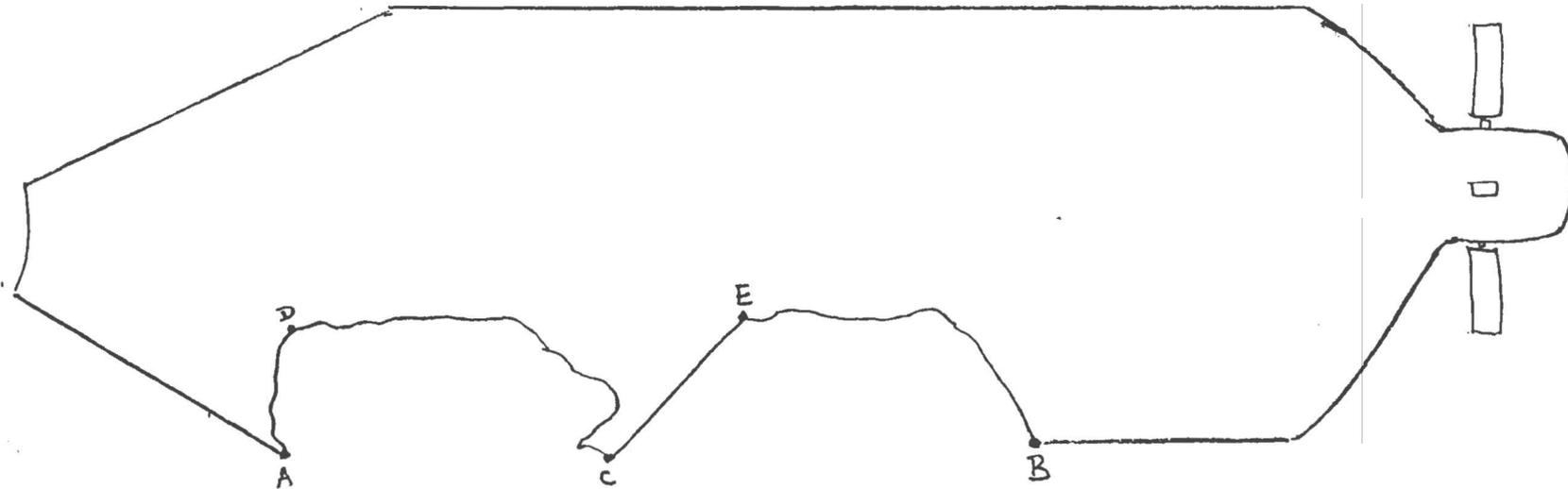
Bottom View
Looking Up
Not To Scale



Legend
AB 9"
AD 19.5"
BE 9.5"
DE 10.5"

MUJ3
Exterior Profile
Looking In
Not To Scale

← Aft Forward →



Legend

AB 96"

AC 47"

AD 14"

AE 56.5"

BC 49"

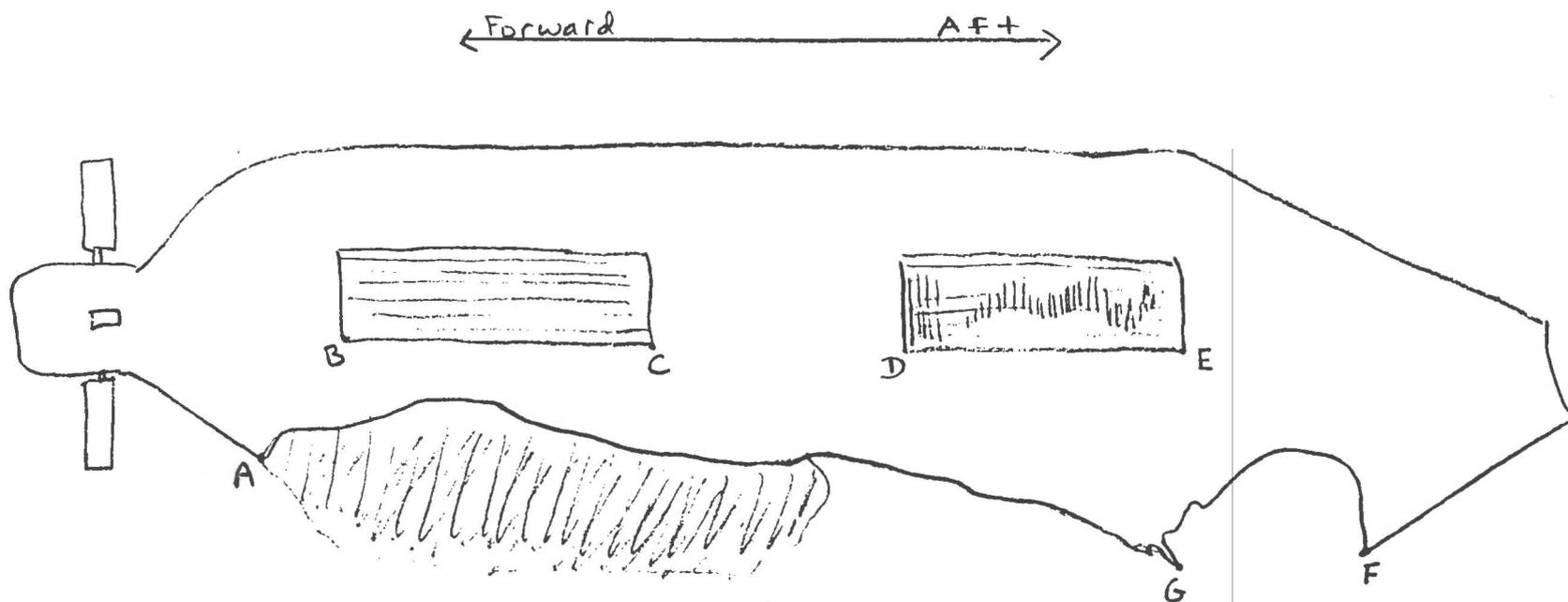
BD 94"

BE 41.5"

CD 46"

CE 12.5"

A U U J
 Interior Profile
 Looking Out
 Not To Scale



Legend

▬ = Vent Ribbing

▧ = Damaged Vent

▨ = Shaded Area = Damage On Opposite Side

AB 23.5"

BC 39"

DE 39"

AD 96"

CD 36"

EF 16"

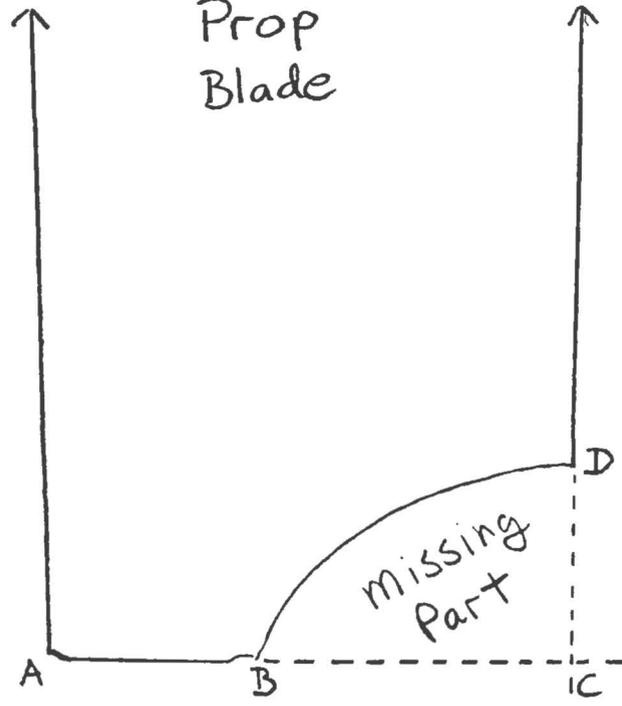
AF 143"

CF 86"

FG 18"

AOD4
Side View
Not To Scale

Pod
Prop
Blade



Note: corner A
is bent inward.

Legend

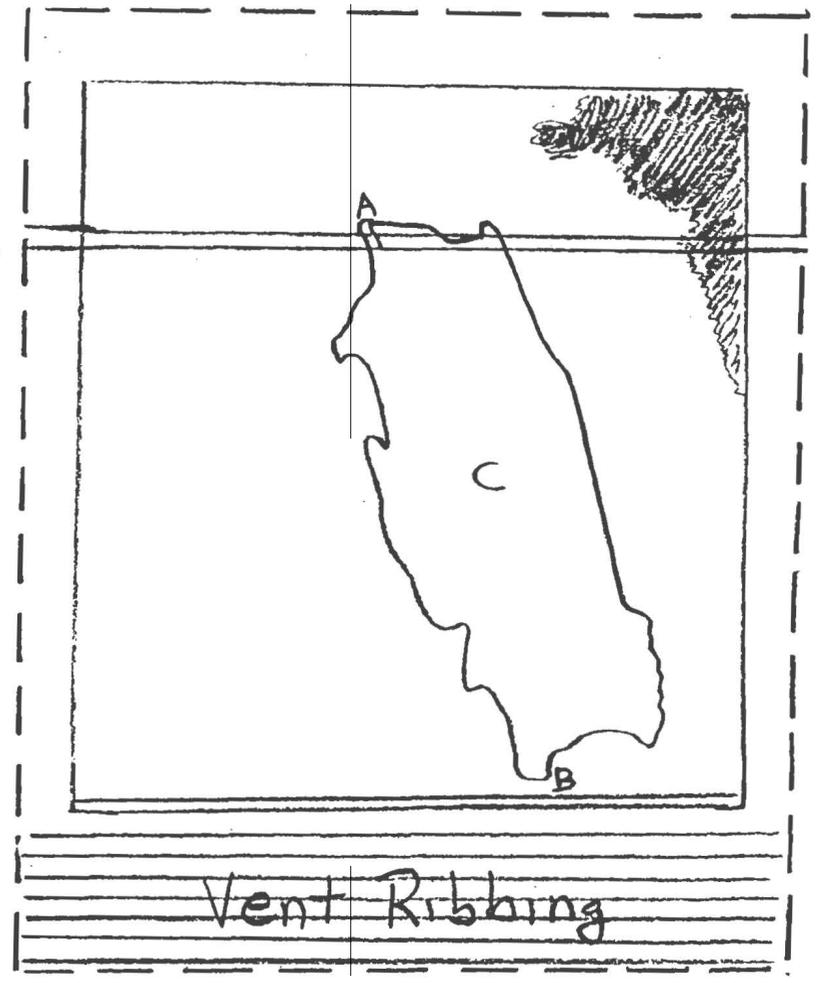
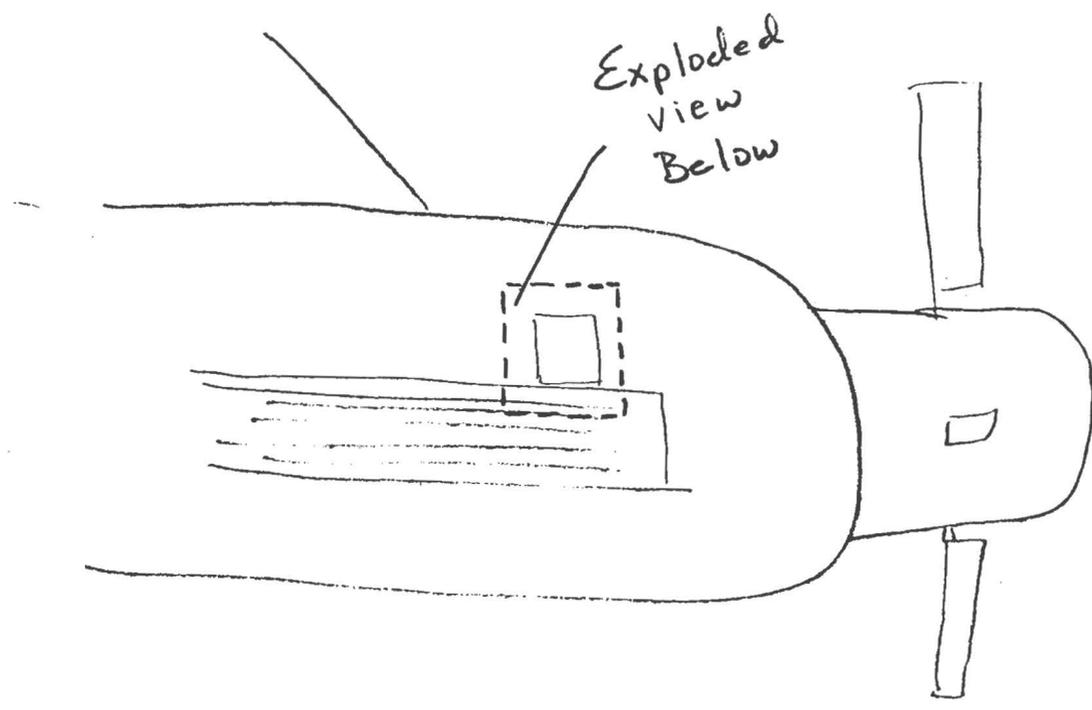
----- Extrapolated Lines

AB 1 1/4"

AC 2 3/4"

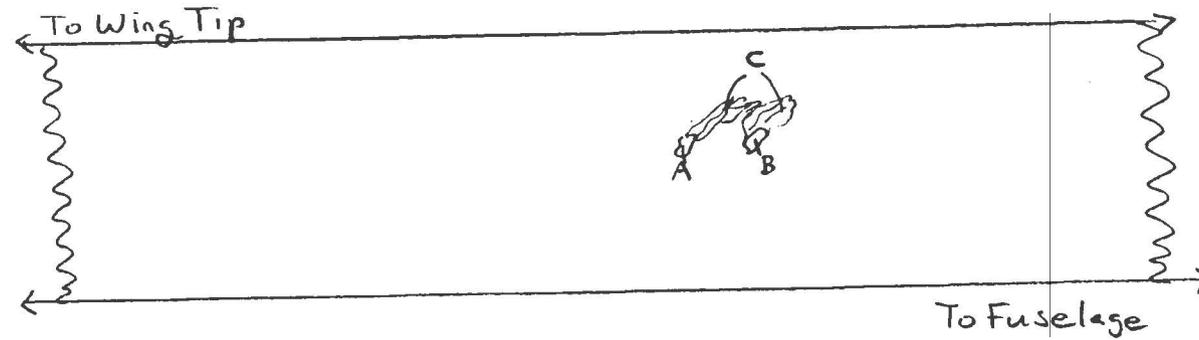
CD 7/8"

AOD5
Exterior Profile
Looking In
Not To Scale



Legend
A B \approx 3"
Shaded Area
= Paint Damage
Area C = scraped,
exposing underskin

AOD6
Frontal View
Not To Scale



Legend

$AB \approx 1''$

A & B are 'nicks'

C are striations from A & B on painted surface

AOD 7
Frontal View
Not To Scale

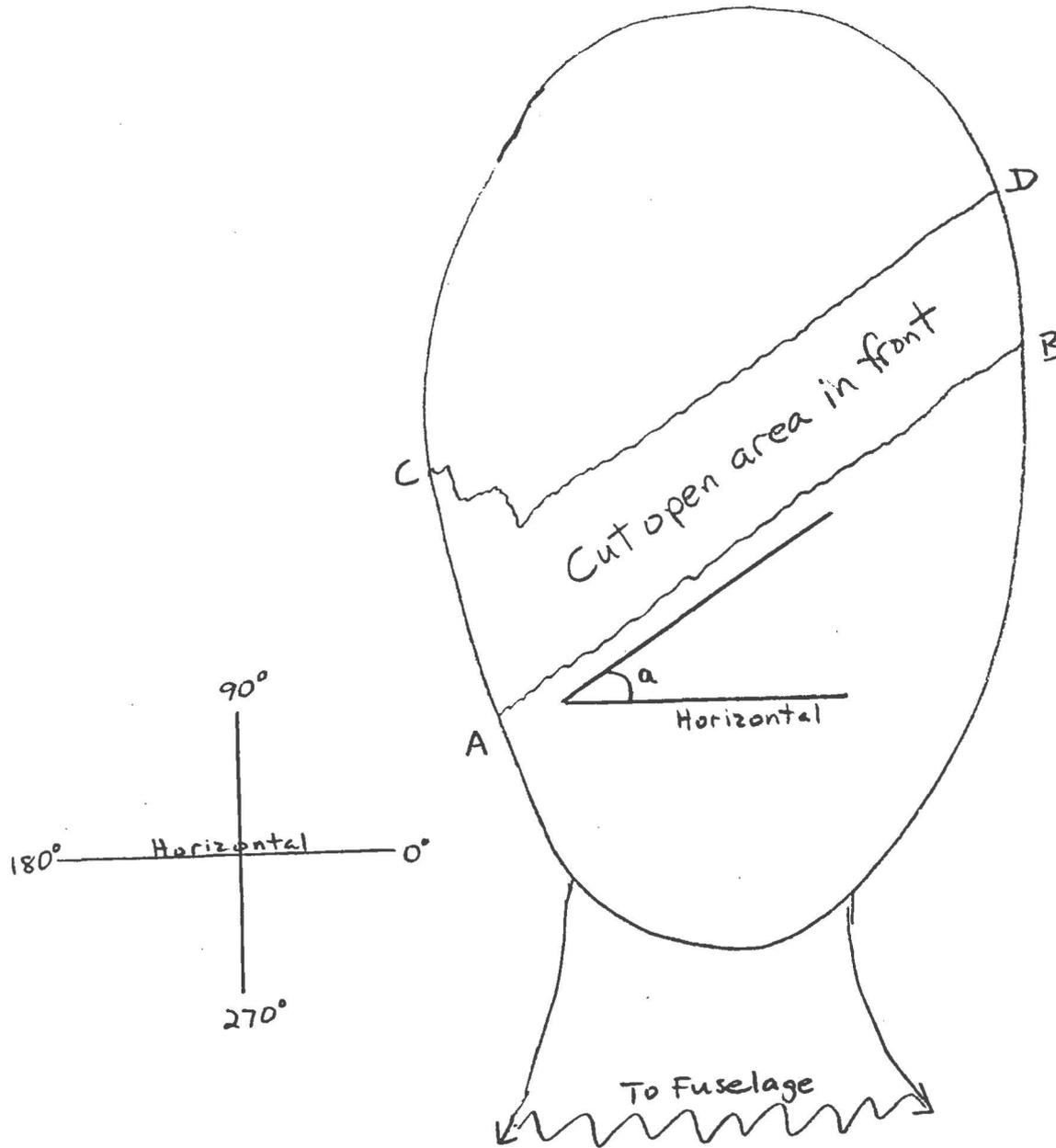
Note: there is
significant depth
in this damage,
detailed in profile
sketches.

Legend

$AB \cong 24''$, widest depth point

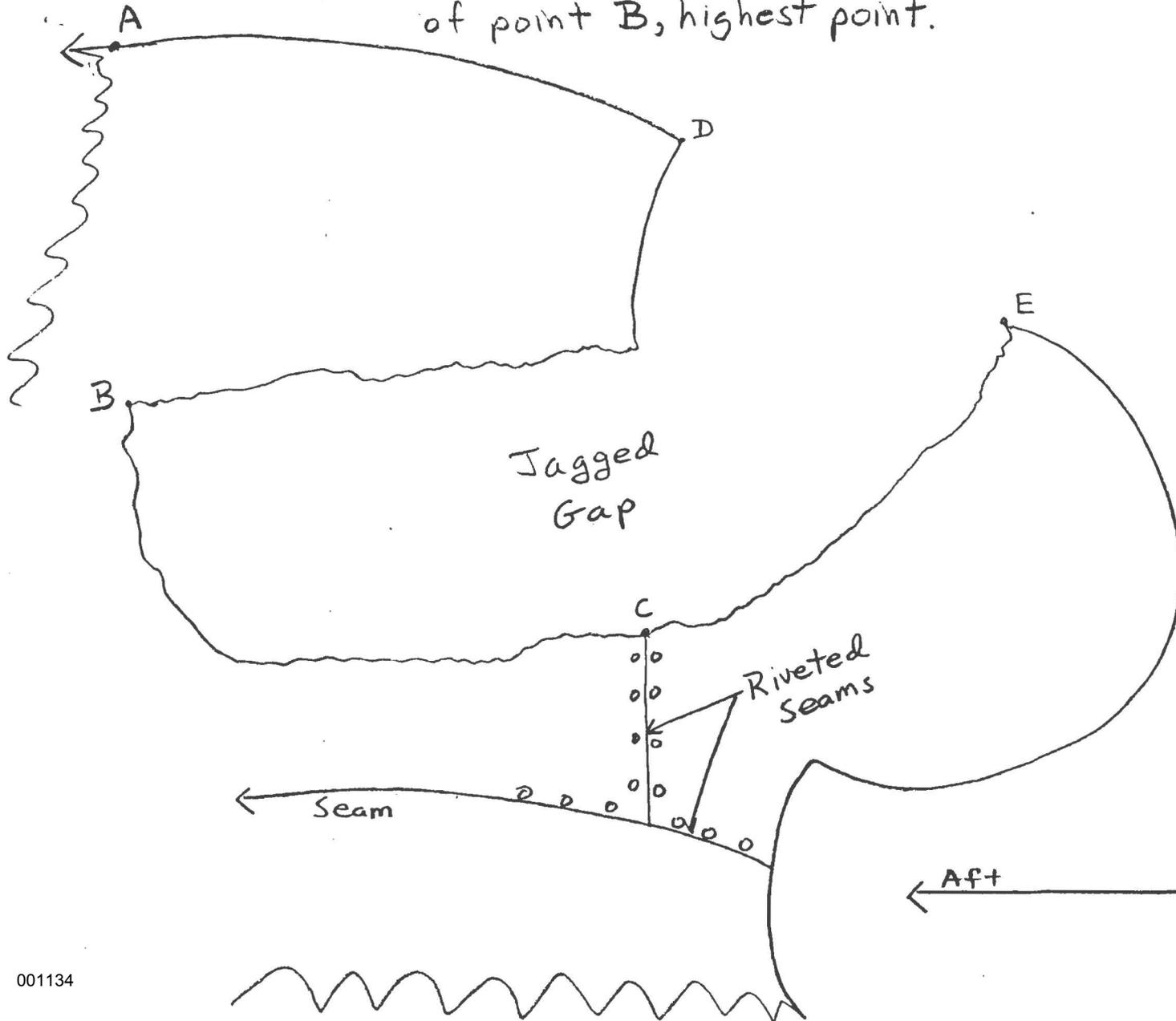
$CD \cong 19''$, widest depth point

Angle 'a' $\cong 36.027^\circ$



AOD7
 Starboard Side
 Profile View
 Not To Scale

Note: A is an extrapolated
 point directly vertical
 of point B, highest point.



Legend

- AB 13"
- AC 33"
- AD 22"
- AE 38"
- BC 22"
- BD 20"
- BE 32"
- CD 17"
- CE 14"
- DE 15"

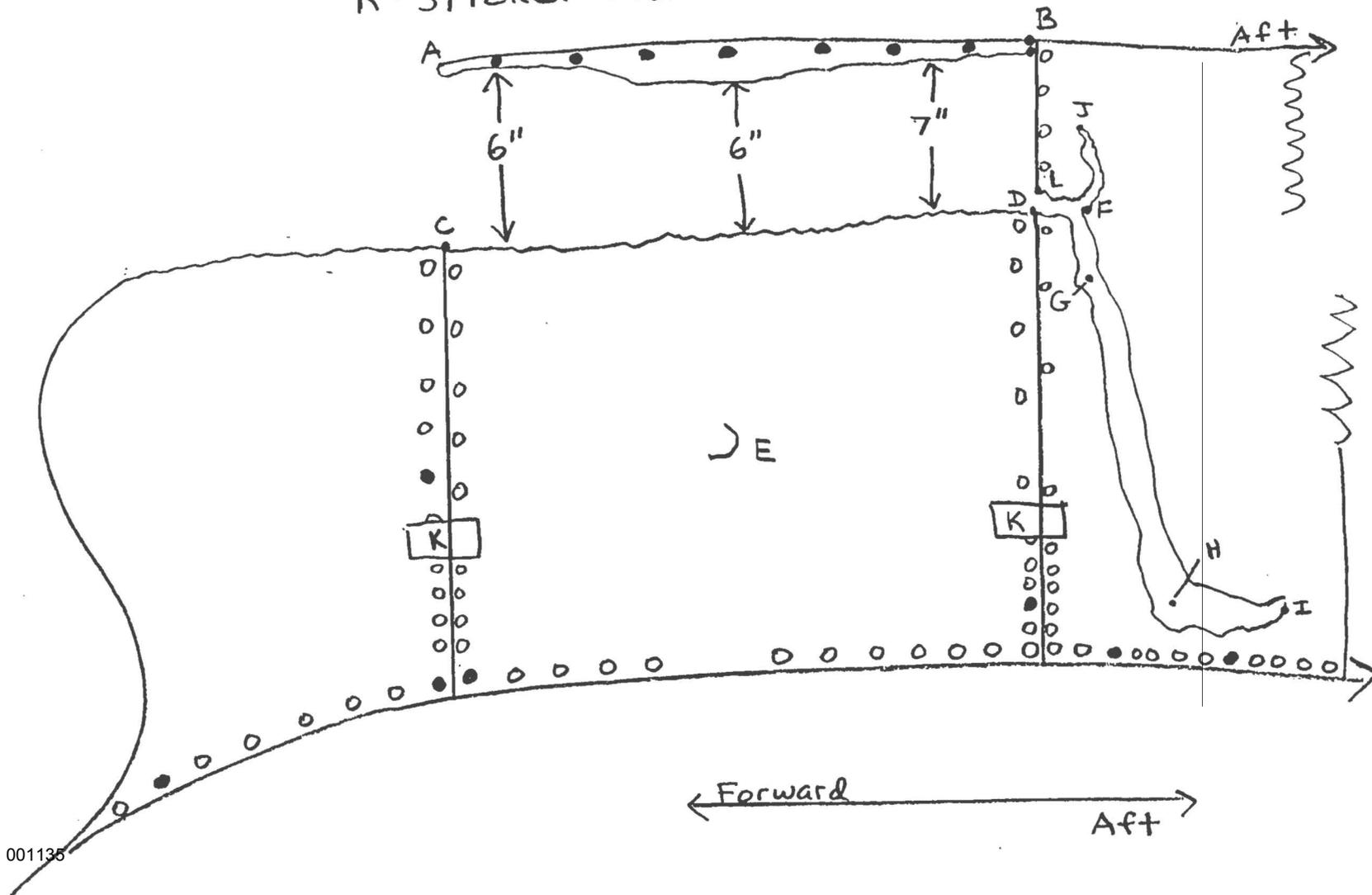
Legend

- Empty Rivet Hole
- Rivet Spot w/ Screw

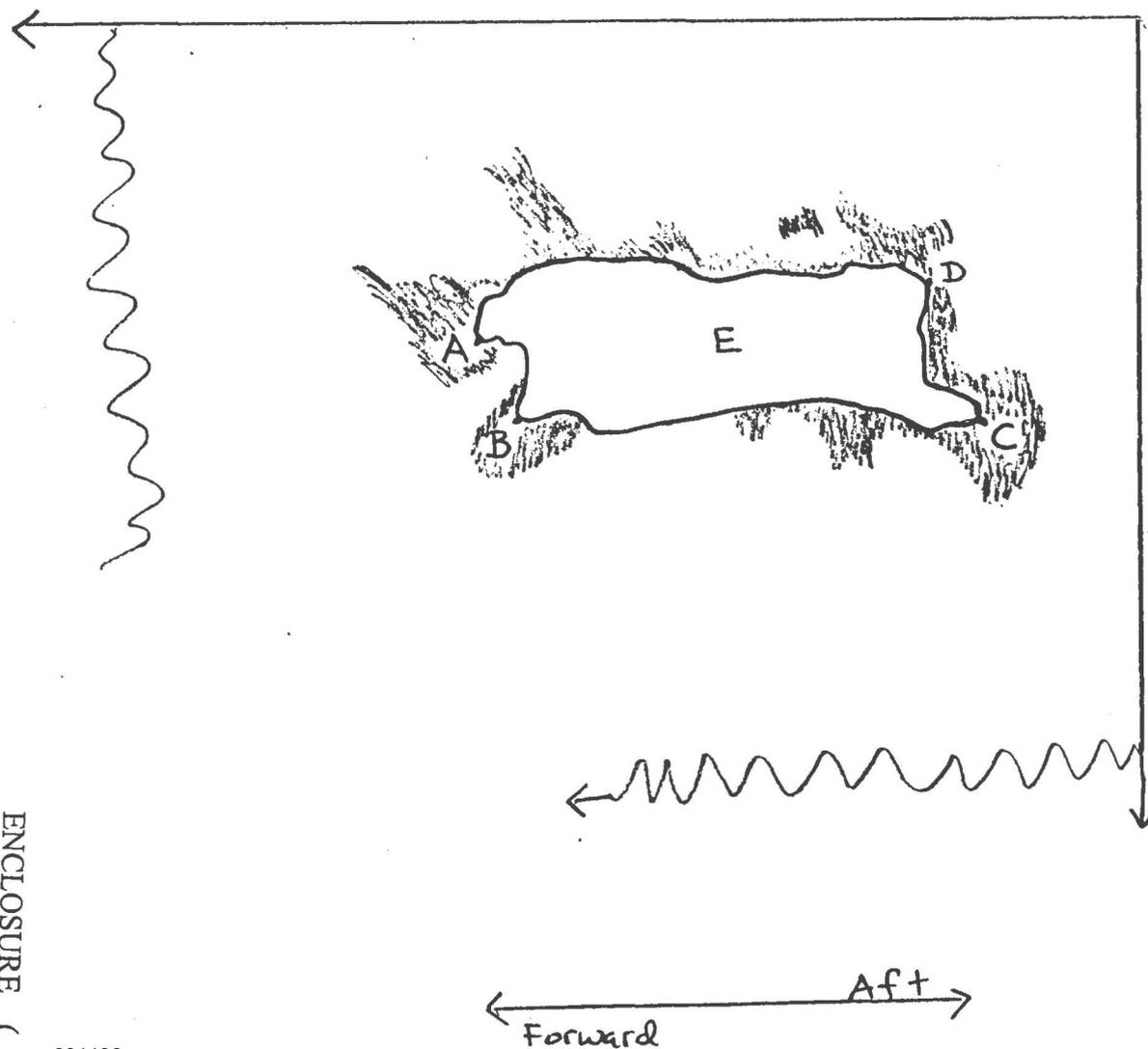
AB 24" DF 3.5" GH 24" FJ 7"
 CD 23" FG 6" HI 7" BL 12"

E: Broken Skin, 1⁵/₈" end to end
 K: Sticker Over Aircraft Seam

AUDI
 Port Side
 Profile View
 Not To Scale



AOD8
Port Side
Profile View
Not To Scale

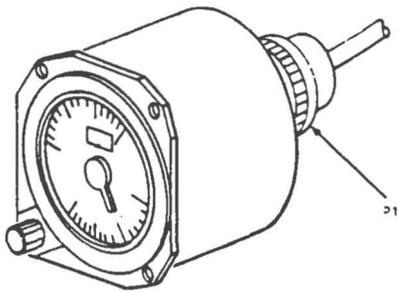


Legend

AB 3" BC 15"
AC 17" BD 14"
AD 15" CD 3.5"

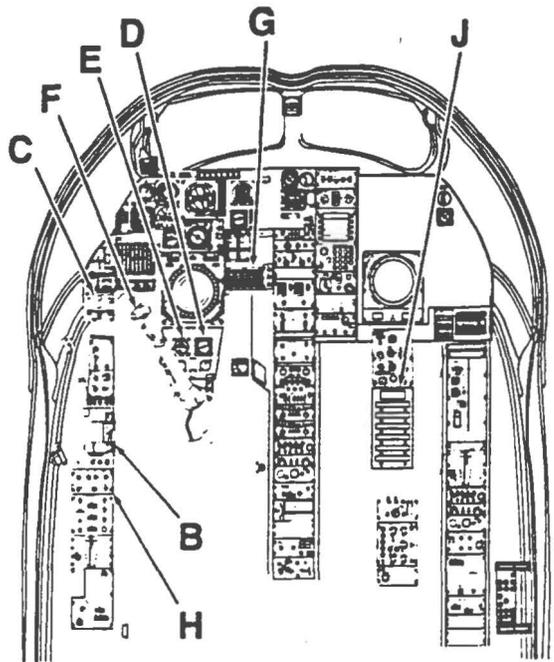
E = Hole In Skin

Shaded Areas =
Surface/Paint Damage



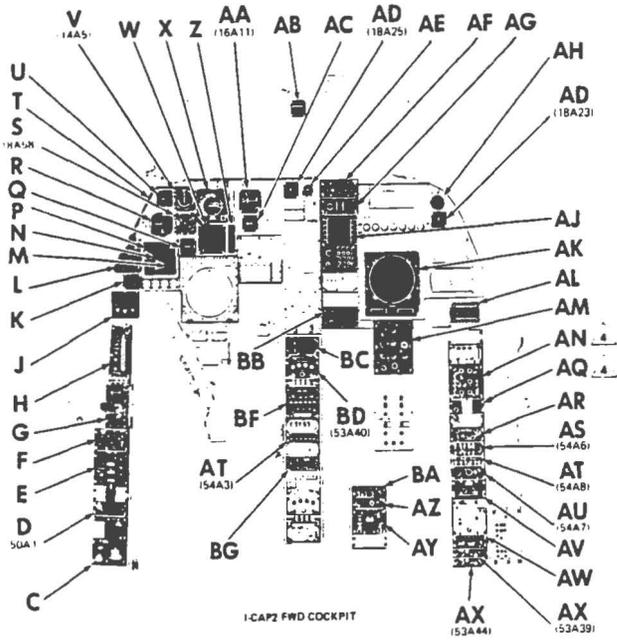
RADAR ALTIMETER (57A4)

R

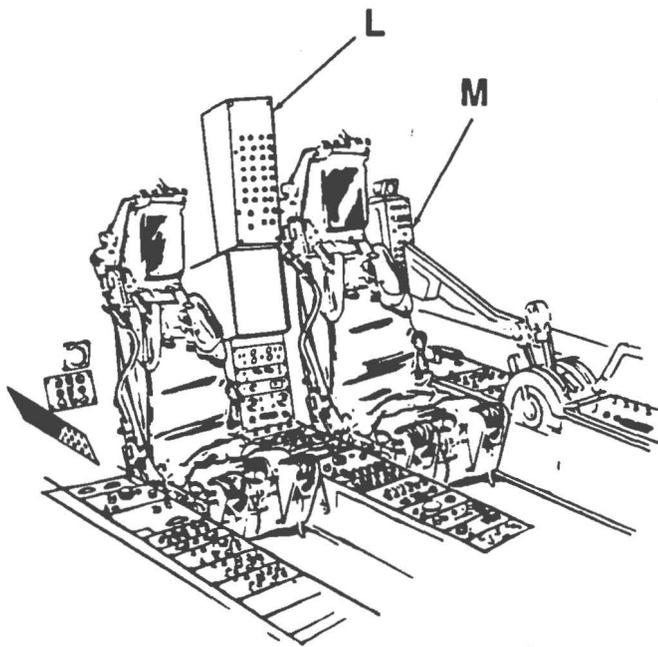


FORWARD COCKPIT

A



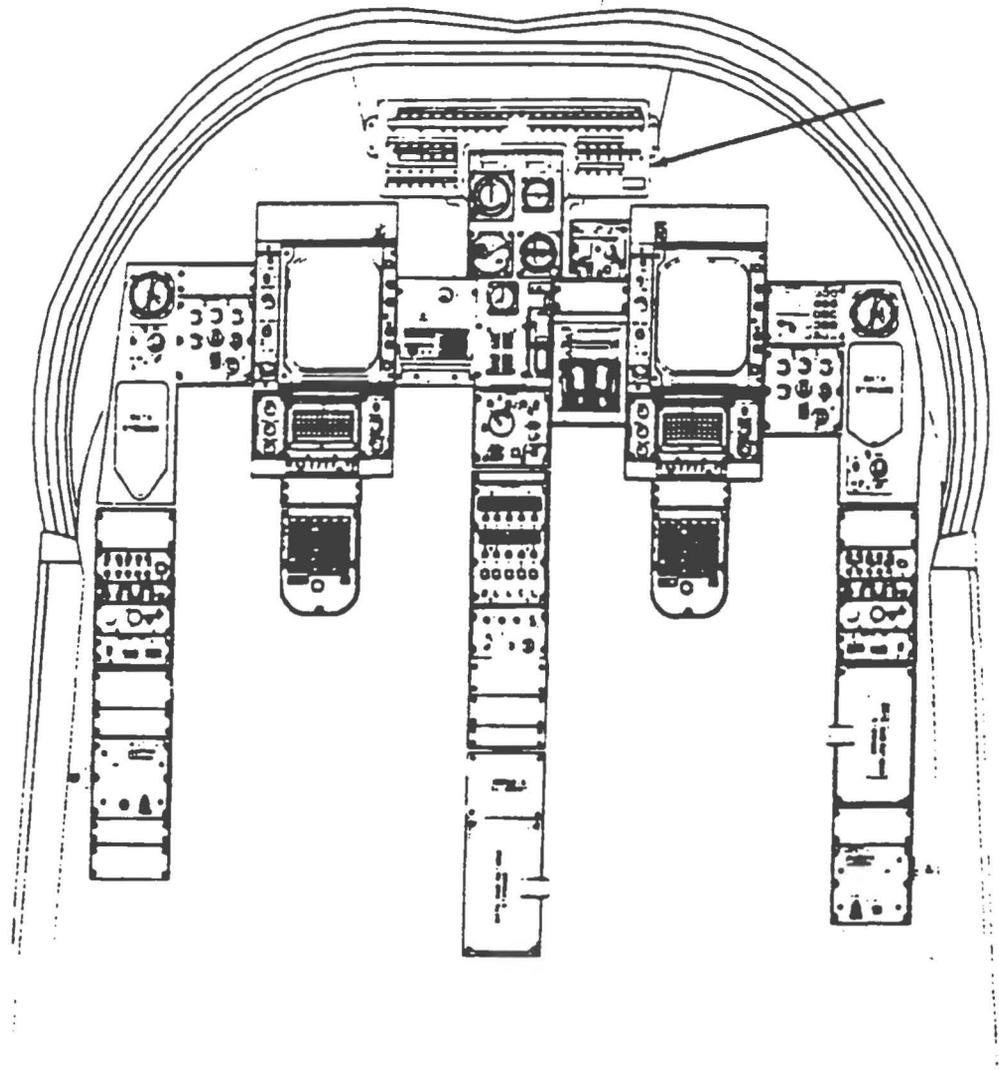
I-CAP2 FRD COCKPIT



FORWARD COCKPIT

K

VIEW LOOKING AFT



AFT COCKPIT

NATO CONFIDENTIAL

PLAYBOYS AVIANO (LIPA) LOCAL PRESET 02/98

CH	AGENCY	PRI	B	C	V
1	CLEARANCE	338.825			
2	GROUND	312.650			122.10
3	TOWER	259.05	257.8		142.05
4	DEPARTURE	386.675			134.10
5	PADOVA (E)	235.15	384.2		129.375
6	PADOVA (W)	291.15			125.90
7	APPROACH	360.775	362.30		142.75
8	ARRIVAL	344.00			123.30
9	SFA	252.525			140.42
10	GCA	375.325			
11	GCA	379.425			
12	GCA	337.825			
13	MAGIC (205A)	349.3	315.25	383.3	
14	COASTLINE (230A)	249.40	268.725	362.45	
15	BOOKSHELF (29A)	293.525	342.1	241.75	127.45
16	ABCCC/AEW (37A)	338.675	244.450	372.300	138.6
17	EW THRT WARN (30A)	261.25	262.675	383.225	130.225
18	SOF "YANKEE OPS"	260.925			140.25
19	ATIS	290.875			129.30
20	PLAYBOYBASE	267.500			
NATO ZAGREB		275.975		125.775(p)	132.125(q)
COMMAND POST		376.550	360.925		
BASE OPS		300.6			
WEATHER-METRO		257.750			
PUSH	ALPHA	BRAVO	CHARLIE/A-A	PURPOSE	
31	364.9	252.450		CAOC C2 LOS	
109	294.7			CAOC CONTGNCY UNTEAS	
200	254.425	270.1		AIRLAND INTER-PLANE	
201	141.725	140.950		AIRLAND INTER-PLANE	
228	277.525	257.1	375.250	SPEEDY COORD	
229	342.150	262.875	300.450	SONNY AAR CONTROL	
231	258.4	299.6	35X/98X	AAR	
232	315.350	297.750	29X/92X	AAR	
233	296.6	344.1	38X/101X	AAR	
234	283.050	316.350	21Y/84Y	AAR	
235	294.8	340.650	29Y/92Y	AAR	
236	380.550	268.3	30X/93X	AAR	
237	299.7	335.9	31X/94X	AAR	
238	139.65	142.725		TANKER	

PRC 112 FREQS PUSH A 268.650 PUSH B 278.350

ECM/DECM/HARM
PROCEDURES

REFERENCE DATA

NORMAL PROCEDURES

EMERGENCY PROCEDURE TABS

WARNING/
CAUTION/
ADVISORY LTS

1

NAVAIR 01-85ADC-1B

**NATOPS
POCKET CHECKLIST**

GROUND EMERG 2

2

**EA-6B
AIRCRAFT**

TAKEOFF EMER 3

3

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INFLIGHT EMER 4

4

0801LP0156810



01-85ADC-1B REVISION 15

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MERG 5

5

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

DINGO

6

BY ORDER OF THE CHIEF OF NAVAL OPERATIONS AND UNDER THE DIRECTION OF THE COMMANDER NAVAL AIR SYSTEMS COMMAND

15 JULY 1997

ENCLOSURE (19)

W. H. HENRY
1978

~~34 53.8 / 76 53.5~~
LINE
CAPT
34 54.1 76 53.3
Q2 LINE

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

BELOW 200 HAE)
(ABOVE 105 HAE)

Reaction
within
of 100
Do-
FLT
OFF
100 FT AGL
ON
CHECK
RESET
ONE 1000
MIL
LEVEL OFF
EQUIP

CHECK
EQUIP
EQUIP
EQUIP
SET
CHECK

100
100
100
100
100
100

ANTICWLES

ENCLOSURE (20)

H ← Ant

H-8
PANELS
EFGH
1" = 30 NM

DOD
FLIGHT INFORMATION PUBLICATION
ENROUTE HIGH ALTITUDE
EUROPE NORTH AFRICA AND
MIDDLE EAST

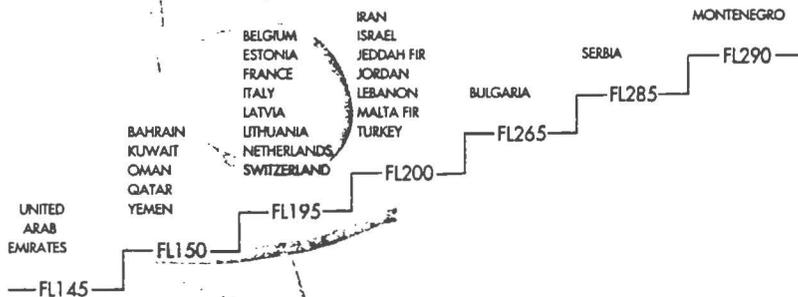
H-7
PANELS
ABCD
1" = 18 NM

EFFECTIVE **14 AUG 1997**
TO **11 SEP 1997**

Consult NOTAMs for latest information

HIGH ALTITUDE INFORMATION

1. GENERAL: For use within the High Altitude Structure at and above FL245, except as indicated below.



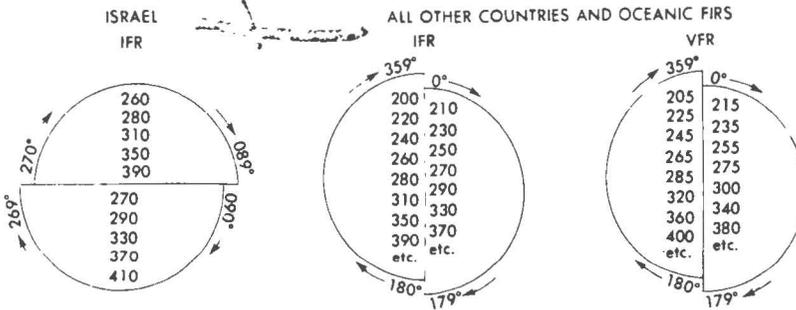
2. CRUISING LEVELS:

A. The symbols A > and B > shown along airways refer to cruising levels which apply within the vertical limits of the airway:

A > shown along one-way or two-way routes refers to FL 210, 230, 250, 270, 290, 330, 370, etc. Select B-levels for flight in the opposite direction on two-way routes.

B > shown along one-way routes refers to FL 200, 220, 240, 260, 280, 310, 350, etc.

B. Outside the limits of airways on which A and B are shown, and for flights on airways along which neither is shown, select cruising levels appropriate to the country/FIR in which flight is conducted.



NOTE: Use IFR diagram for VFR flights in the United Kingdom

3. Belgium airspace, including upper airways is controlled from FL195-255. Upper Advisory Area (UDA) extends from FL255-460. Upper air routes have advisory status only.

4. Denmark TACAN routes normally are flown at FL250 or above; however, for refueling operations they may be flown as low as FL200.

5. Norway TACAN routes normally are flown at FL200 or above.

6. France TACAN routes vertical limits are FL195-UNLTD, except TB3 which is FL240-UNLTD. Routes are available between 0000-0700Z++, 1700-2400Z++ Mon, Tue, Wed and Fri; 0000-1100Z++, 1700-2400Z++ Thu. Available 24 hours Sat, Sun and holidays. Route TA6 between DJ TACAN and LSA TACAN is available 24 hours daily.

7. Netherlands TACAN routes to be flown at or above FL210 (Eastbound), and at or above FL200 (Westbound).

PT	COORDINATES (NORTH) (EAST)	ELEV	DESCRIPTION/ NEAREST TOWN
X	4407.00 1122.85	1500'	ROAD BRIDGE "T"/ FIRENZUOLA
Y	4340.20 1127.45	600'	HWY INTERSECTION/ FIGLINE
Z	4305.25 1132.98	705'	ROAD-RR BRIDGE/ TORRENIERI
AA	4333.45 1231.20	5005'	MOUNTAIN PEAK/ PIOBBICO
BB	4325.50 1112.13	660'	FACTORY/ POGGIBONSI
CC	4328.95 1143.80	660'	ROAD INTERSECTION/ AREZZO
DD	4307.00 1208.45	1014'	ISLAND PEAK/ CASTIGLIONE DL LAGO
EE	4243.60 1228.65	800'	ROAD-RR BRIDGE/ TODI
FF	4316.45 1329.29	220'	RIVER BRIDGE/ MACERATA
GG	4249.00 1212.60	2746'	TWIN TWRS ON PEAK/ FICULLE

.....

LOW LEVEL PROCEDURES

Reference: Area Planning (AP/2) and Italian SOP ADD-25

1. When flying a low-level you must maintain between 500' and 2000' AGL. VFR flight between 2000' AGL and FL200 requires maintaining VFR hemispheric altitudes.

2. The minimum altitude over public beaches and seaside resorts is 1500' AGL. You must cross coastlines on a perpendicular heading. Legs paralleling the coastline must flown at least 2NM off the coast (feet wet or dry).

3. Avoid towns depicted on 1:500M charts, built-up areas, and industrial areas by 1km or 1500' AGL.

4. Minimum altitude over snow covered mountainous terrain is 1000' AGL.

5. Maximum airspeed below FL360 over Italian territory is .9 Mach. Supersonic flight is permitted beyond 12NM from the coast.

6. Don't use AB below 2000' AGL except for emergencies.

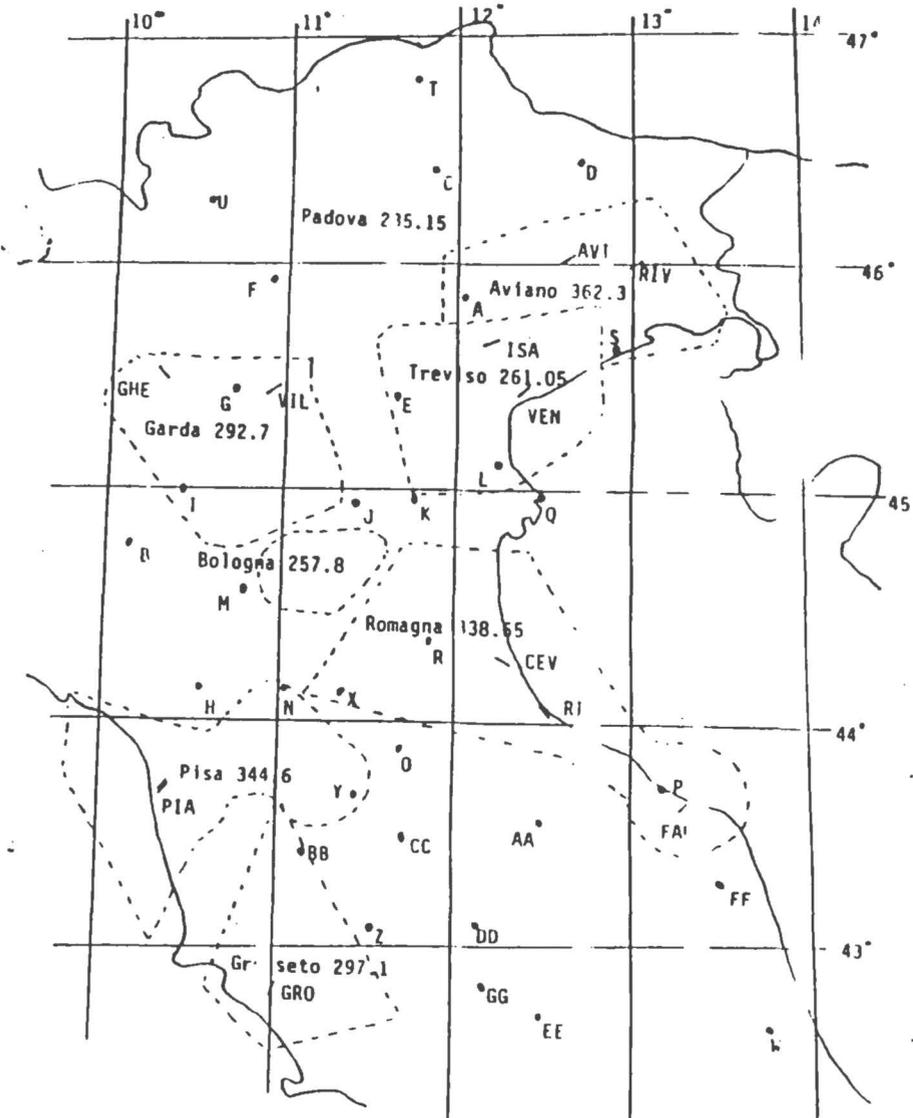
7. Select simulated targets away from inhabited areas. Only one attack per target permitted.

20

001143

ENCLOSURE (22)

DELTA POINTS/TERMINAL CONTROL AREAS



11

5 NM

12
2

180°
(4) 1000

15 NM

E

CAV 1

R 816000

VFR

05

~~385.4~~

1060

0104

(2)

3006

170

149

385.4

G

05

3008

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

1g APPROX - STALL

12-15K AGL 75% TRIM 250 KTS (~~NOT~~ ^{BELOW} ~~STALL~~)

11 ONSET 13 LOSS OF CONTROL 15 RECOVER

PUSH TO 5 UNITS TRIM RECOVER @ 250 KTS

PFC

12g APPROX - STALL

12-15K AGL 80% 200-300 KTS LEVEL TURN (E,ALT)

RECOVER @ 10000 DROPER FLAPS/FLAPS TO LOW-LEVEL MINIMUM AOB

PUSH TO 5 UNITS TRIM (KEEP AOB) FULL LEVEL @ 250 KTS

NOSE DEMO (1g/0g)

12K 300 KTS WINDS W/L @ 400 KTS

ROLLING 9 / STAB AND DEMO

10K 300 KTS TRIM SLIGHT NOSE LOW TURN @ OR BELOW 400 KTS

ROLL 4-4.5g - REVERSE 180° MAXIMUM AGL 3.5g-4g

UNLOAD, REVERSE 180° NOSE ROLL RATE INCREASE

REPEAT W/ STAB ALL OFF

TRIM BUFFER DEMO

10K 375 KTS TRIM 11 UNIT TURN NO TRIM, INS, 117K

HOLD TURN FOR 45° - PULL INTO BANK TURN (14 UNITS)

MAINTAIN ALT NOTE INS LOSS. REPEAT @ 20K

NOSE HIGH RECOVERY

10K 450 KTS TRIM 4g PULL TO 60° NOSE ↑ (TRANSIENT WING DROP)

RECOVER ABOVE 250 KTS. TRIM PUSH TO 5 UNITS RETURN TO LEVEL FLT > 250 KTS

NOSE LOW RECOVERY

10K 430 KTS ROLL + 60 60° NOSE ↓ (START BELOW .86)

IDLE, BOARDS, ROLL LEFT/RT PULL 11 UNITS BELOW 450 KTS

DYNAMIC ZOOM

10K 450 KTS TRIM 4g PULL TO 60° ↑

A/S APPROX 220 KTS PUSH TO 5 UNITS TRIM

RECOVER > 250 KTS

001145

ENCLOSURE (24)

PHIT 5

1BK 280-300 KTS MRT INVERT ROLL ϕ -12 UNITS

IDLE, BONDS (M/S 450 KTS) MAINTAIN ϕ -12 UNITS

RECOVER AS NOSE AT 45 HORIZ

TURN PERFORMANCE

10K 400 KTS MRT ROLL 70° NOS 11 UNITS

TIME FOR 90° REPEAT @ 14 UNITS

PLICE TURN

10K 400 KTS SELECT REF HDG

MRT ROLL 10° - 150° NOS + MAX PERFORMANCE TURN (140 UNITS)

MAINTAIN CORNERING SPEED (400 KTS) ROLL OUT AFTER 180° HDG Δ

NO EVDS TO BE PERFORMED

1. ROLL TO PUT SMOKE WINDOW

EXECUTE 90° TURN SEE IF MISSILE TRACKING

KEEP MISSILE IN CANOPY - CLIFF/FLARE

3-D BRENT 5-10 SEC BEFORE IMPACT

AS D

15K 400 KTS VERTICAL SPIRAL

BREK DOWN/INTO BOEY @ EVERSOOT GC HAD NOSE LOW TURN

RANDOM MANEUVERING

BREK INTO BOEY + HOLD 3 SEC. UPHEAD + ROLL 90° REAPPLY 4.5-5.5 G'S HOLD FOR 3 SEC

RECOVER

12K 400 KTS

WREIBZOLL

8K 450 KTS

APEREN ROLL

300 KTS MIN.

ENCLOSURE (25)

Pages 1147 through 1167 redacted for the following reasons:

Enclosure (1) to Exhibit (202): Contact the Italian Police to obtain

Enclosure (1) to Exhibits (197 - 201): Contact County Court of Trento, Italy to obtain

STATEMENT

PLACE: Aviano AFB, Italy

DATE: 08JUN98

[redacted] NCIS (b)(6), (b)(7)(C) make the following free and voluntary statement to [redacted] NCIS (b)(6), (b)(7)(C) whom I know to be an 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 03FEB98 EA-6B aircraft mishap. [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C) for the purpose of identification, I am [redacted] NCIS (b)(6), (b)(7)(C) female [redacted] NCIS (b)(6), (b)(7)(C) weighing approximately [redacted] NCIS (b)(6), (b)(7)(C) pounds. I have [redacted] NCIS (b)(6), (b)(7)(C) hair and [redacted] NCIS (b)(6), (b)(7)(C) eyes. I was born on [redacted] NCIS (b)(6), (b)(7)(C). My social security number is [redacted] NCIS (b)(6), (b)(7)(C). I am currently assigned to the USAF 31st Operational Support Squadron at Aviano Air Base, Italy. I am a USAF Air Traffic Control Craftsman and have been an air traffic controller for approximately eleven years. I have been assigned to the USAF 31st OSS for approximately two years and six months. [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C) On 03FEB98, I was working in the Aviano Air Base Air Traffic Control Tower when the EA-6B mishap craft returned to Aviano AB. As previously recounted in my 13FEB98 statement made to Special Agents [redacted] NCIS (b)(6), (b)(7)(C) I described overhearing a conversation between Major [redacted] NCIS (b)(6), (b)(7)(C) USAF, who was the Supervisor of Flight [SOF] (the officer in charge of flying operations at Aviano Air Base) and an individual who identified himself as the pilot of the mishap aircraft. [redacted] NCIS (b)(6), (b)(7)(C)

[redacted] NCIS (b)(6), (b)(7)(C) agents [redacted] NCIS (b)(6), (b)(7)(C) played a cassette taped excerpt from the STANCIL magnetic tower tape from 03FEB98 for me. I recognize the recorded telephone conversation between the SOF and the pilot who identified himself as Capt [redacted] NCIS (b)(6), (b)(7)(C) can positively identify the [redacted] NCIS (b)(6), (b)(7)(C)

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

Statement (continued): [redacted] NCIS (b)(6), (b)(7)(C)
Date: **June 8, 1998**

Page 2

[redacted] of SOF as that being Major [redacted] USAF. This is the conversation that I was referring too in my previous statement [redacted]

[redacted] statement, consisting of this page and one other was typed for me by 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]

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

8 June 98
Date

0900
Time

Sworn to and subscribed before me this 8th day of June, 1998 at Aviano AFB, Italy

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

08 JUN 98

Intelligence Operations Specialist
U.S. Naval Criminal
Investigative Service
AUTH: SECNAVINST 5520.3Bof 04JAN93

STATEMENT

PLACE: Aviano AFB, Italy

DATE: 08JUN98

I, [redacted] NCIS (b)(6), (b)(7)(C) make the following free and voluntary statement to [redacted] NCIS (b)(6), (b)(7)(C) whom I know to be an 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 03FEB98 EA-6B aircraft mishap.

For the purpose of identification, I am [redacted] NCIS (b)(6), (b)(7)(C) male [redacted] NCIS (b)(6), (b)(7)(C) all weighing approximately [redacted] NCIS (b)(6), (b)(7)(C) pounds. I have [redacted] NCIS (b)(6), (b)(7)(C) hair and [redacted] NCIS (b)(6), (b)(7)(C) eyes. I was born on [redacted] NCIS (b)(6), (b)(7)(C) in Walnut Creek, CA. My social security number is [redacted] NCIS (b)(6), (b)(7)(C). I am currently assigned to the USAF 31st Operational Support Squadron at Aviano Air Base, Italy.

I am a USAF Air Traffic Control Craftsman and have been an air traffic controller for approximately nine years. I have been assigned to the USAF 31st OSS since SEP97.

On 03FEB98, I was undergoing Local Control Training at the Aviano Air Base Air Traffic Control Tower, under the supervision of SSGT [redacted] NCIS (b)(6), (b)(7)(C) when the EA-6B mishap aircraft returned to Aviano AB.

Today, agent [redacted] NCIS (b)(6), (b)(7)(C) has played a cassette taped excerpt from the STANCIL magnetic tower tape from 03FEB98 for me. I recognize the recorded telephone conversation between the Supervisor of Flying (SOF) and the pilot who identified himself as Capt [redacted] NCIS (b)(6), (b)(7)(C). I can positively identify voice of SOF as that being Major [redacted] NCIS (b)(6), (b)(7)(C) USAF.

This statement, consisting of this one page was typed for me by 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.

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

8 June 98
Date 1330
Time

Sworn to and subscribed before me this 8th day of June, 1998 at Aviano AFB, Italy

[redacted] NCIS (b)(6), (b)(7)(C) 1330 08JUN98

Intelligence Operations Specialist
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 AVIANO MISHAP JUDICIAL
PROCESS

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: REVIEW OF ITALIAN AUTOPSY REPORT

On 08Jun98, NCISFO Carolinas received a number of items of evidence from NCISFO Europe. Included among these items was a CD ROM disc reportedly containing the Italian authorities autopsy report, and photographs of the 20 victims. This item is assigned log number 369-98 in the NCISFO Carolinas evidence custody system.

On 09Jun98 Reporting Agent (RA) reviewed the CD on a computer system at NCISFO Carolinas, Camp Lejeune, NC (CLNC). The report consisted of 270 pages of documents with autopsy photographs of the victims interspersed in the report. All the written materials in the report were written in the Italian language, and it appeared the report was prepared by three Italian Medical Doctors who had signed off on each page.

On 10Jun98, RA delivered the CD to [REDACTED] NCIS (b)(6), (b)(7)(C) at the Graphics Section of TAVSC at CLNC. RA requested [REDACTED] NCIS (b)(6), (b)(7)(C) to print one complete set of the 270 pages, make one additional color copy of the 270 pages from the original prints, and make six additional CD's to be utilized by assigned Trial and Defense counsel in this investigation. The CD was left in [REDACTED] NCIS (b)(6), (b)(7)(C) possession and was controlled via an NCIS evidence custody document.

On 11Jun98 [REDACTED] NCIS (b)(6), (b)(7)(C) contacted RA and advised she had completed the requested tasking. RA contacted [REDACTED] NCIS (b)(6), (b)(7)(C) and recovered the CD along with the requested copies and copied CD's. [REDACTED] NCIS (b)(6), (b)(7)(C) related that she had problems printing several of the pages, but was finally able to get all of them to print except page number 200. Therefore the report does not contain page number 200.

RA provided the color copies of the 270 pages along with the six copied CD's to Major [REDACTED] NCIS (b)(6), (b)(7)(C), Lead Trial Counsel, on 11Jun98. Trial Counsel will distribute the CD's to pertinent attorneys, and also make efforts to have the entire report interpreted and transcribed into english. RA maintained the original images to be furnished to the Armed Forces Institute of Pathology (AFIP) for review.

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, Camp Lejeune, NC

DATE TYPED:

12JUN98

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

INTERVIEW/INTERROGATION LOG (Personal Data Sheet)

DATE

12 JUN 98

Name (Last, first, and middle)

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

Birthplace and Date

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

Rate

CPL / E-4

SSAN

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

Race

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

Sex

M

Height

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

Weight

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

Hair

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

Eyes

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

Complexion

Fair

Build

Medium

Scars, Marks and Tattoos

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

Civilian Occupation

n/a

Education

High School Graduate w/ some college courses

Spouse

n/a

Address

Next of Kin

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

Relationship

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

Address

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

Home Address of Record

Date of Last Enlistment

23 JAN 95

Date Reported to Present Assignment

18 MAR 98

Date Employed or Commissioned

n/a

Citizenship

U.S.

Remarks

MAG 14 - 01 APR 97
UMAG-2 15 AUG 97
UMGR-252 18 MAR 98

NAVAL CRIMINAL INVESTIGATIVE SERVICE

Investigative Notes

TITLE: I/MARFORLANT Norfolk, VA/Assistance
to the Aviano Mishap Judicial Panel

CCN: 15APR98 0023-0036 7HMS

MADE BY:	MADE AT:	DATE:	TIME:
NCIS (b)(6), (b)(7)(C)	USAFCSI Incirlik, Turkey	12 JUN 98	

Fax # for Camp Lejeune, NC

Fax # →

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

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

DSK :

Com

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



001174



001175



001176



001177



001178



001179



001180



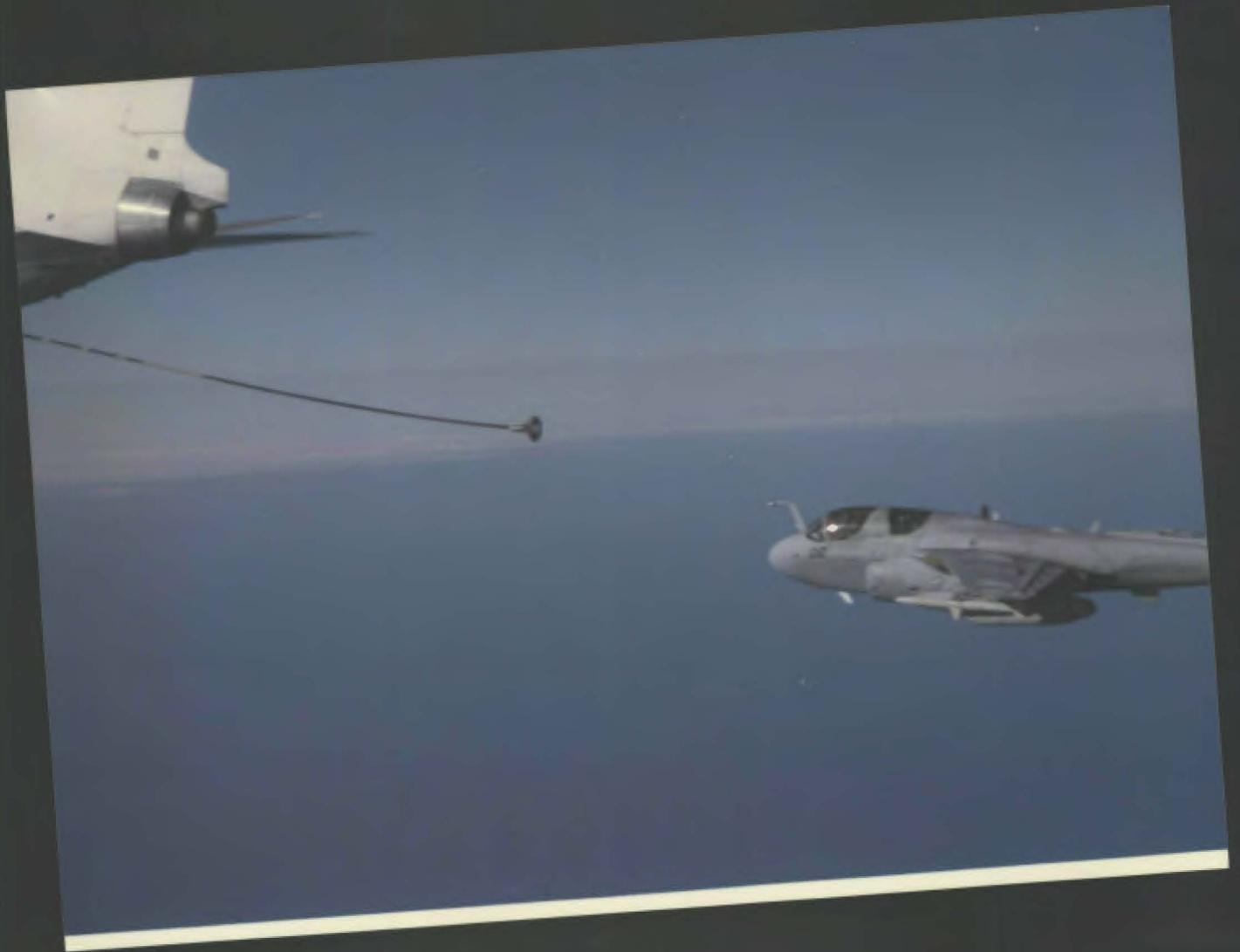
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001190



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001193



001194



001195



001196



001197

STATEMENT

PLACE: Havelock, NC

DATE: 19JUN98

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

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 Agents 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 memorandum prepared by NCIS (b)(6), (b)(7)(C)

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

NCIS (b)(6), (b)(7)(C) for the purpose of identification, I am NCIS (b)(6), (b)(7)(C) female. My social security number is NCIS (b)(6), (b)(7)(C) and I was born on

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

NCIS (b)(6), (b)(7)(C) I am writing this statement because the date cited in the New York Times and other news media, as well as the date of 12Sep97 which is on the memo from NCIS (b)(6), (b)(7)(C) to Major General NCIS (b)(6), (b)(7)(C) regarding complacency in VMAQ squadrons is incorrect. The "complacency" memo was not written in September; it was written in February of this year. NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) In mid to late February, after the Gondola accident and after the NCIS (b)(6), (b)(7)(C) incident, NCIS (b)(6), (b)(7)(C) was called into work on a Saturday and Sunday, to help General NCIS (b)(6), (b)(7)(C) with some investigation. During those two days and in the week after, he investigated issues surrounding the procedures followed by the "Q" squadrons. After much investigation and many flight crew interviews NCIS (b)(6), (b)(7)(C) wrote General NCIS (b)(6), (b)(7)(C) memo describing his opinions and findings about those procedures. NCIS (b)(6), (b)(7)(C) was concerned as to whether this statement was strong enough, or too strong. Since there was no sensitive material in the memo, he asked me to proof it and give him my impressions. I read it and remember that I dubbed it the "complacency memo", because of the last line that stated something like, "...this can all be summed up in one word, complacency." NCIS (b)(6), (b)(7)(C)

NCIS (b)(6), (b)(7)(C) within a week of reading the memo, I was coaching the Havelock High Tennis team and we had a Marine Captain who offered to help with the team. I was introduced to him and he replied that he had recently met NCIS (b)(6), (b)(7)(C) Colonel (select) NCIS (b)(6), (b)(7)(C) I asked how and he related that he had just been interviewed by NCIS (b)(6), (b)(7)(C) In addition to other less relevant comments, he went on to say that these kind of interviews and the investigations were going to drive a lot of good pilots out of the Corps and that he was having serious doubts about "staying in". He also mentioned that he had heard that "the Colonel" was "getting out" and going to fly commercially. This meeting although not important, gives me a clear picture as to the original date of the memo. The Colonels list came out on a Friday in mid-February, the same

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

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

day, [redacted] was contacted by FEDEX to accept an offer of employment and [redacted] left to accept the FEDEX offer for a class date of March 4th. Since [redacted] and I were undergoing some serious career decisions at this time, I am very cognizant as to the timing of this memo. It was definitely written around the time of the pilot interviews, as a result, I know that the "complacency" memo had to have been written in mid to late February of 1998.

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

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

This statement, consisting of this page and other was typed for me by Special Agent [redacted] after I had provided a copy of the statement via electronic mail. 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)

[redacted signature block]

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

6/19/98
Date

1336
Time

Sworn to and subscribed before me this 19th day of June, 1998 at Havelock, NC.

[redacted signature block]

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

Special Agents, U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
AUTH: SECNAVINST 5520.3B OF 04JAN93

[redacted signature block]

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: PRINTS DEVELOPED FROM STILL CAMERA EXPOSURES

On 10Jun98, Reporting Agent obtained the original negatives out of the NCISFO Carolinas evidence custody system. These negatives were item "C" on evidence custody document 371-98, and included 30 total exposures in a cellophane envelope divided into seven negative strips. These negatives reportedly were developed from film that was found in the 35 mm camera which was located in the mishap aircraft.

The negatives were signed over to the custody of the TAVSC photo lab at Camp Lejeune, NC to have prints of the negatives prepared. Six complete print sets of the 30 exposures were prepared by TAVSC in the 5 X 8 inch format. Additionally six each of exposures 28, 29, and 30 were prepared in the 8 X 10 inch format. Exposures 1 thru 27 depict miscellaneous photographs of aircraft in flight, coastline shots, trans-atlantic refueling operations, etc. Exposure 28 is a blurry photograph of what appears to be a city or village that may have been taken at low altitude. Exposures 29 and 30 are photographs of mountain scenery presumably in the Italian Alps.

Exposure 28 may be significant in that it appears to be from low altitude and was one of the last photographs on the roll of film. Therefore it may be a low level photograph taken during the mishap flight. Enclosures (1) thru (18) depict the photographs obtained from the negatives. Multiple copies of the photos were provided to trial counsel to furnish to defense teams of the accused persons in this investigation. The negatives are now back in the custody of the NCISFO evidence custodian.

ENCLOSURES:

- (1). Two of Thirty exposures/undated
- (2). Two of Thirty exposures/undated
- (3). Two of Thirty exposures/undated
- (4). Two of Thirty exposures/undated
- (5). Two of Thirty exposures/undated
- (6). Two of Thirty exposures/undated
- (7). Two of Thirty exposures/undated
- (8). Two of Thirty exposures/undated
- (9). Two of Thirty exposures/undated
- (10). Two of Thirty exposures/undated
- (11). Two of Thirty exposures/undated
- (12). Two of Thirty exposures/undated
- (13). Two of Thirty exposures/undated
- (14). Two of Thirty exposures/undated
- (15). Two of Thirty exposures/undated

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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

(16). Exposure Twenty-eight of Thirty/undated

(17). Exposure Twenty-nine of Thirty/undated

(18). Exposure Thirty of Thirty/undated

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, Camp Lejeune, NC
DATE TYPED: 11JUN98

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001202

I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(1)



001203

I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(2)

001204

I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO WISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HMS

ENCLOSURE(3)

001205

I/NARFORLANT, NORFOLK VA/ASST TO
AVIANO WISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(4)



001206

I/NARFORLANT, NORFOLK VA/ASST TO
AVIANO WISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HMS

ENCLOSURE(5)



001207 I/WARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(6)



001208 I/NARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(7)

I/NARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
CCN: 151P209-0023-0036-7HNS

ENCLOSURE(8)

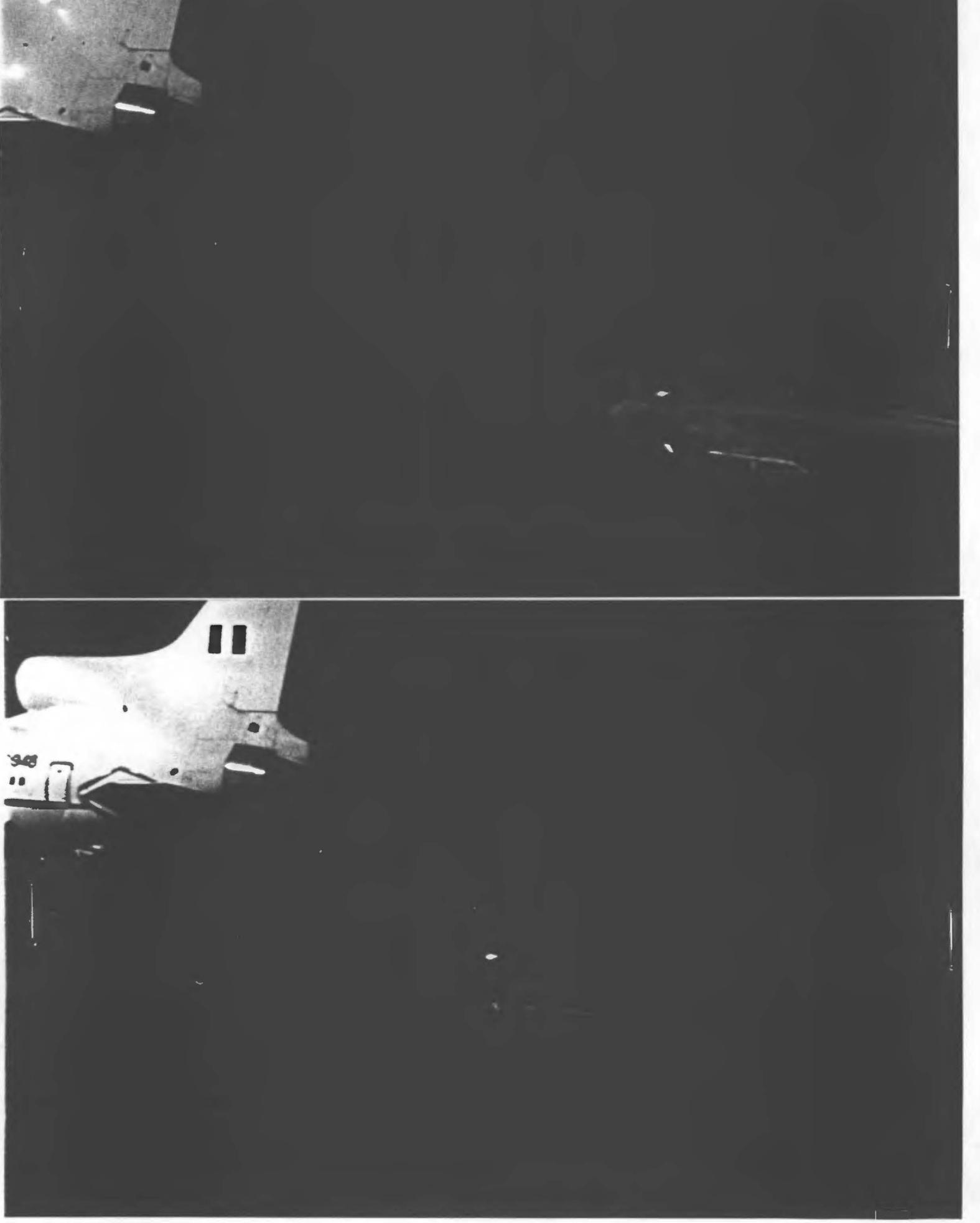
I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO WISHAP JUDICIAL PROCESS
001210
CCN: 15APR98-0023-0036-7HMS

ENCLOSURE(9)



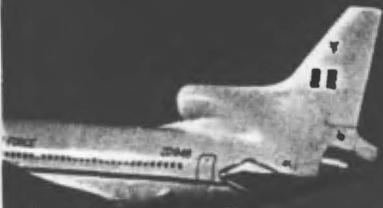
I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
001211
CCW: 15APR98-0023-0036-7HWS

ENCLOSURE(10)



I/NARFORLANT, NORFOLK VA/ASST TO
001214 IAWO WISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(11)



001213 I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO NISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HMS

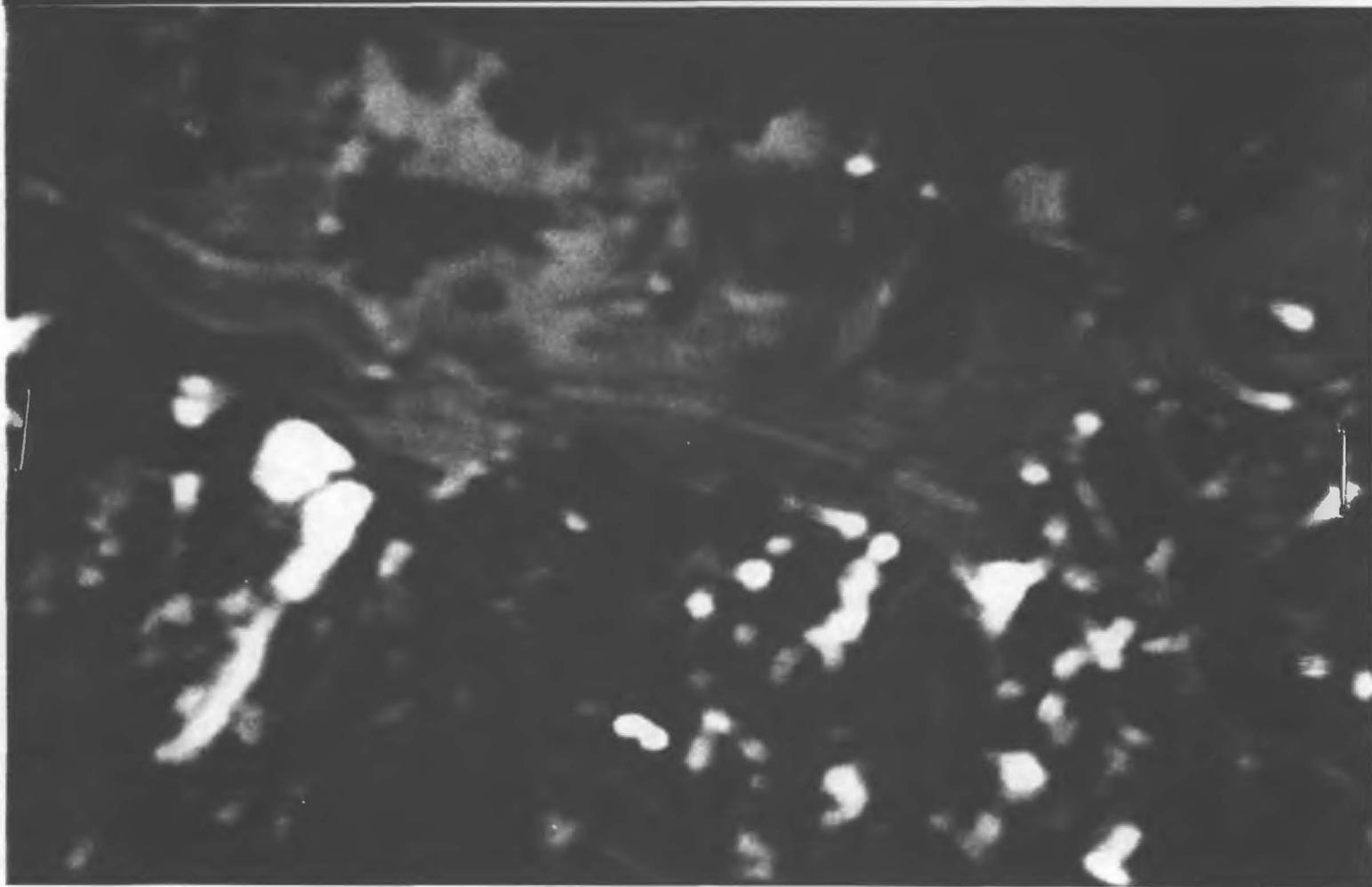
ENCLOSURE(12)

b
c
c



I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO MISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(13)



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

ENCLOSURE(14)





I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO WISHAP JUDICIAL PROCESS
001217
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(16)

I/MARFORLANT, NORFOLK VA/ASST TO
001248 AMO WISAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HMS

ENCLOSURE(17)

I/MARFORLANT, NORFOLK VA/ASST TO
AVIANO NISHAP JUDICIAL PROCESS
CCN: 15APR98-0023-0036-7HNS

ENCLOSURE(18)

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: TRANSCRIPTION OF TAPED TELEPHONE CONVERSATION

On 11Jun98, reporting agent made a duplication of an audio cassette tape held in the NCISFO Carolinas evidence custody system under log #368-98 (A). The audio cassette tape held in evidence depicts a portion of recordings made by the Air Traffic Control Tower at Aviano Air Force Base, Aviano, Italy, on 03Feb98. The recorded material on the tape depicts specific contact between the Air Traffic Control Tower and the aircrew aboard the USMC EA6B Prowler which was involved in the mishap flight. In addition, miscellaneous conversations between the Air Traffic Control Tower and other individuals, which occurred during the time frame surrounding the mishap flight, are also depicted on the recording. Sides (A) and (B) of a 90 minute audio cassette tape were utilized for the duplication of the tape held in evidence.

The audio cassette tape held in evidence, as well as the duplication tape made by reporting agent, contain a short telephone conversation between MAJ [REDACTED] USAF and CAPT [REDACTED] USMC, the pilot of the EA6B aircraft involved in the mishap flight. MAJ [REDACTED] was the Safety of Flight (SOF) Officer in the Air Traffic Control Tower on 03Feb98. Their conversation occurs approximately 9 minutes and 30 seconds into side (B) of the duplication tape made by reporting agent. During this conversation, CAPT [REDACTED] acknowledges that he was the pilot of the mishap aircraft, and that he had hit a "tower cable that went to a gondola." Enclosure (1) is a typewritten transcript which depicts the telephone conversation between MAJ [REDACTED] and CAPT [REDACTED]

ENCLOSURE

(1) Transcribed Telephone Conversation Between MAJ [REDACTED] and CAPT [REDACTED] 03FEB98...(Orig)

REPORTED BY:
OFFICE:

[REDACTED]
NCISFO CAROLINAS

WARNING

EXHIBIT (20)

TRANSCRIBED TELEPHONE CONVERSATION BETWEEN MAJ [REDACTED] AND CAPT [REDACTED] 03 FEB 98

The telephone conversation transcribed below occurs approximately 9 minutes and 30 seconds into side B of the Control Tower tape:

TELEPHONE RINGS

TELEPHONE ANSWERED

LCpl [REDACTED] "Q2 Flight Equipment...LCpl [REDACTED]"

MAJ [REDACTED] "Yeah...MAJ [REDACTED] here. I have some questions on your EA6B that just landed...I'm up at the SOF Tower right now, I'm currently the SOF. Is your Top 3 around, or your supervisor, or whoever's in charge right now?"

LCpl [REDACTED] "You probably wouldn't want to call down to Maintenance Control."

MAJ [REDACTED] "Maintenance Control...ah, ah..whoever the pilot is...that's in charge...or the aircrew...or whoever's in charge..."

LCpl [REDACTED] "Okay, uh, who's this again?"

MAJ [REDACTED] "This is the SOF."

LCpl [REDACTED] "Okay...uh, Captain [REDACTED]"

(IN THE BACKGROUND, CAPT ASHBY ANSWERS) "Yeah."

LCpl [REDACTED] "Somebody from the tower is calling about the aircraft or something."

(BACKGROUND NOISE IS HEARD)

CAPT [REDACTED] "Captain [REDACTED]"

MAJ [REDACTED] "Yes sir, hey it's Major [REDACTED] up at the tower, the SOF right now..."

CAPT [REDACTED] "Yes sir."

MAJ [REDACTED] "...There's some questions here about, uh, the EA6B...did they talk to you guys inbound...at all?"

CAPT [REDACTED] "Did...did who talk to us?"

MAJ [REDACTED] "Your EA6B...Am I talking to the right squadron here?"

CAPT [REDACTED] "Yes you are."

MAJ "Okay, uh...the one that just landed, took the cable, that had structural damage?"

CAPT "Correct."

MAJ "Did he talk to you inbound? I'm trying to fill out my report here...I need to know..."

CAPT "I, uh, I'm the pilot..."

MAJ "Oh you are the pilot."

CAPT "Yes."

MAJ "Oh, okay, Good...Hey uh...wh...uh, I need to fill out some stuff..."

CAPT "M'hm..."

MAJ "Where were you guys and what do you think you hit there."

CAPT "Uh we think we hit a, uh...um...a...gosh...ah, a tower cable..."

MAJ ^{NCIS (b)(6), (b)(7)(C)} "...A tower cable...?"

CAPT "...that went to a gondola."

MAJ "Okay."

CAPT "That's what we, we think we hit...because I saw a gondola, and then...I looked in front of me and saw wires and then I maneuvered and we, uh, hit the, hit the wires...and I think we hit the tower wires but I'm not sure because I didn't see a tower, so..."

MAJ "Do you have the..."

CAPT "But just the way the wings are, and the cuts are through it..."

MAJ "Yeah."

CAPT "They're at an angle..."

MAJ "Yeah, cause it hit your, what, right wing and then your vertical stab?"

CAPT "Right...that's the only thing I can think of."

MAJ [REDACTED] "Yeah...do know about the weight and the speed that you took the cable?"

CAPT [REDACTED] "Uh... the weight we said, uh 40K..."

MAJ [REDACTED] "40k?"

CAPT [REDACTED] "...and, uh, we probably took the cable at 150 knots."

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

MAJ [REDACTED] "150 Knots."

CAPT [REDACTED] "Yeah, we rolled into it, we probably, the approach was a little bit closer to 170."

MAJ [REDACTED] "Okay. Do you have the approximate coordinates of where that cable was?"

CAPT [REDACTED] "Um, yeah, hold one sec..."

(CAPT [REDACTED] APPEARS TO BE CALLING FOR CAPT [REDACTED] IN THE ROOM, AND TALKING WITH OTHERS IN THE ROOM AWAY FROM THE TELEPHONE)

[REDACTED] "...Oh did he?...Ahh, Where were we going, did he, where'd he say we were going, towards Charlie?..."

(OTHER VOICES IN BACKGROUND ARE HEARD)

"...Yeah."

(CAPT [REDACTED] NOW TALKING TO MAJ [REDACTED] ON THE TELEPHONE)

"Are you familiar with the uh, Zero-, uh, what is it, -Four-Seven?"

MAJ [REDACTED] "Uh, not really, but I can fig, I'll figure it out. Zero-Four-Seven, that's some low level route?"

CAPT [REDACTED] "Yes, we were on our way to the uh, target run..."

MAJ [REDACTED] "Okay."

CAPT [REDACTED] "...and that's when we uh, we hit it. I, we can get a better coordinate if, uh, my navigator was navigating, so he can probably give you a better one if he can, we can give you a call back."

MAJ [REDACTED] "Okay, yeah, give me a call at the SOF tower when you get that."

CAPT [REDACTED] "Okay, if we forget, cause I'm sure we're gonna get drilled really hard...so uh..."

MAJ "Okay."

CAPT "...if you could call back and remind us..."

MAJ "Sure will."

CAPT "...a lot of stuff on my mind right now."

MAJ "I understand."

CAPT ^{NCIS (b)(6), (b)(7)(C)} "Okay?"

MAJ "Who are you again?"

CAPT "What's that?"

MAJ "You're Captain..."

CAPT [REDACTED] ^{NCIS (b)(6), (b)(7)(C)} "

MAJ "Okay, thanks a lot."

CAPT "Right, bye."

(CONVERSATION BETWEEN MAJ ^{NCIS (b)(6), (b)(7)(C)} AND CAPT ^{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: REVIEW OF 8MM VIDEO TAPE

On 16Jun98, reporting agent and participating agent NCIS (b)(6), (b)(7)(C) contacted the North Carolina State Bureau of Investigation (NCSBI) for audio-visual related assistance. Contact was made with Criminal Specialist NCIS (b)(6), (b)(7)(C) and Special Agent NCIS (b)(6), (b)(7)(C) at the NCSBI Audio-Visual Laboratory (A/V Lab) in Garner, NC. NCIS requested that NCIS (b)(6), (b)(7)(C) examine an 8mm video tape to determine if it showed evidence of having been recorded on, and then taped over in an attempt to remove the previously recorded images. The Sony Hi-8 MP120 brand 8mm tape examined by NCSBI was inside the Cannon ES2000 brand 8mm video camcorder when it was seized from the front cockpit of the EA6B Prowler involved in the gondola cable mishap near Cavalese, Italy on 03Feb98. The Sony 8mm tape and the Cannon 8mm camcorder are logged into the NCISFO Carolinas evidence custody system under log numbers 371-98 (H) and 371-98 (F), respectively.

Upon initial inspection of the tape NCIS (b)(6), (b)(7)(C) related the red tab near the corner of the tape was in the "Save" position, vice the "Record". According to NCIS (b)(6), (b)(7)(C) the tab would have been manually set in that position.

NCIS (b)(6), (b)(7)(C) placed the 8mm tape into a Cannon brand Cannonvision LX-200 Hi-8 recorder/player which was attached to a Sony brand monitor. The tape was played completely through, depicting "snow" on the monitor throughout the entire tape. No audio was heard while the tape was played through. NCIS (b)(6), (b)(7)(C) opined there had been no previously recorded images on that tape.

For comparison purposes NCIS (b)(6), (b)(7)(C) removed a similar 8mm video tape from a new package and played it on the same Cannonvision/Sony monitor system described above. Again, this process resulted in "snow" being depicted on the monitor throughout the entire tape. Using that same new 8mm tape, as well as the aforementioned Cannonvision recorder and Sony monitor, NCIS (b)(6), (b)(7)(C) recorded 30 seconds of tape with the lens cap on. The tape was rewound and then played. During the 30 seconds of recorded tape (with the lens cover on), the monitor depicted a "black" screen. Once the tape played past the 30 seconds of recorded time, the monitor depicted "snow" on the screen. NCIS (b)(6), (b)(7)(C) again indicated their opinions that the 8mm tape recovered from the cockpit of the mishap Prowler had not been recorded on at any time.

BIOGRAPHICAL DATA

NCIS (b)(6), (b)(7)(C) Criminal Specialist, NCSBI, Garner, NC
Special Agent, NCSBI, Garner, NC
WKPHN: 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

PARTICIPATING AGENT

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

SA, NCISFO Carolinas

REPORTED BY:
OFFICE:

NCIS (b)(6), (b)(7)(C)
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: ATTEMPTED REVIEW OF FLIGHT DATA RECORDER AND COPY

On 01Jul98, Reporting Agent (RA) and Participating Agent (PA) [REDACTED] met with Major [REDACTED] trial counsel, at his MCAS Cherry Point, NC office. RA and PA had item "E" off evidence custody document 366-98, which was a black vinyl bag containing two Recorder Reproducer Set (RRS) tapes, one of which was marked as a "R" record tape and the other marked as a "L" load tape. Additionally RA and PA possessed a copy of item "A" off evidence custody document 429-98, which was an 8mm tape reportedly containing flight data down loaded from the RRS tape taken from the aircraft.

Major [REDACTED] had made arrangements with personnel at VMAQ-3 to attempt to review the RRS tape marked "R" and the 8mm tape. With the assistance of Captain [REDACTED] at VMAQ-3 these efforts were made. [REDACTED] attempted to read and copy the information from the RRS tape to another blank 8mm tape on a TEAMS machine at the squadron. These efforts were not productive as the machine continuously indicated there were read errors on the tape. This was done for approximately 1.5 hours to no avail. During this time Cpl [REDACTED] of the TERPES section at VMAQ-3 accompanied by Major [REDACTED] attempted to review the 8mm tape on a TERPES machine. Cpl [REDACTED] was only able to read one data point on the tape, but this reading indicated additional items of data were available on the tape other than lat/longs and altitude. These other data included things such as pitch and roll of the aircraft at that particular data point.

It was later determined to take the RRS tape and 8mm tape to experts in California to review and verify the data which they contained.

Participating Agent

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

REPORTED BY: [REDACTED]
OFFICE: NCISFO Carolinas, Camp Lejeune, NC
DATE TYPED: 14JUL98

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

CCN: 15APR98-0023-0036-7HMS

INVESTIGATIVE ACTION: REVIEW OF RRS TAPE AND 8MM COPY OF FLIGHT DATA

On 09Jul98, Reporting Agent (RA) along with Major [REDACTED] NCIS (b)(6), (b)(7)(C) Trial Counsel, met with Mr [REDACTED] NCIS (b)(6), (b)(7)(C) of the Naval Air Warfare Center, Weapons Division. More specifically at the EA6B Software Support Activity where [REDACTED] NCIS (b)(6), (b)(7)(C) is a program manager. In Reporting Agents (RA) possession was item "E" off NCISFO Carolinas Evidence Custody Document (ECD) 366-98, which was a black vinyl bag containing two Recorder Reproducer Set (RRS) tapes. One of the RRS tapes was marked as an "R" record tape, and the other was marked as an "L" load tape. Additionally RA possessed a copy of item "A" off ECD 429-98, which was an 8mm tape reportedly containing data down loaded from the RRS tape taken from the mishap aircraft. [REDACTED] NCIS (b)(6), (b)(7)(C) explained that the RRS tapes work on a 4 track reel to reel system with a 1/4" tape. There are 144 records per track and each record contains 4096 bytes or 2048 words.

Mr [REDACTED] NCIS (b)(6), (b)(7)(C) along with several of his subordinates went through a number of steps to attempt to read the information they contained. This was all witnessed by RA and are as follows:

Step 1

Attempted to read RRS tape serial number 6219 marked as an "R" record tape on electronic work station (EWS) 82/89. This showed only one record which was a "32 word tape header", a printout of this header is appended as enclosure (1). [REDACTED] NCIS (b)(6), (b)(7)(C) said when an RRS tape is initialized it is erased, and the 1st record on the tape is written as a 32 word header which identifies the tape as a record tape.

Step 2

Retried step 1 on EWS 89A and got same results with just one record, the 32 word tape header present.

Step 3

Tried a Point Mugu RRS tape on EWS 89A and it read it fully. This was done to eliminate EWS 89A as a hardware problem.

Step 4

Tried a Point Mugu RRS tape on EWS 82/89 and it read it fully. This was also done to eliminate EWS 82/89 as a hardware problem.

Step 5

Copied RRS tape serial number 6332 marked as an "L" load tape onto EWS 82/89 to a VAX computer file. The tape held a great deal of data, but none of it appeared to be anything specifically relating to the mishap flight route AV047. The navigational turn points reviewed were well out of the general area of the mishap in Italy, and appeared to be lat/longs in the Deliberate Guard AOR.

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Step 6

Tried reading RRS tape serial number 6219 on TEAMS system. Again the system only read one record which was the 32 word tape header. The system was allowed to cycle through attempting to read additional information through 56 records and continually showed read errors. Enclosure (2), a print screen function of the TEAMS system, documents the read errors and shows that record one, the 32 word header did read properly. Enclosure (3) is the a binary printout of the 32 word header, which shows most of the data on this record is zeros to account for the 4096 bytes or 2048 words which are found on all records. NCIS (b)(6), (b)(7)(C) was able to read the binary code and confirm this was the same as the 32 word header printout information.

Step 7

Copied 8mm tape which was a working copy of Item "A" from ECD number 429-98 onto an archive file on the VAX computer. This file was dated 03Jun98, the date the RRS tape containing the mishap flight data was copied, and was named "Gondola". There were 36 records recovered from the tape. Comparison of the data on the tape to the data originally recovered from the RRS tape by Mr. NCIS (b)(6), (b)(7)(C) of PRB Associates in Aviano, Italy, shortly after the mishap, confirmed the data was the same regarding lat/longs, headings, and altitudes. NCIS (b)(6), (b)(7)(C) who was also present at this time, indicated he too had been able to read 36 records from the RRS tape while in Aviano.

Step 8

Attempted to removed tape from RRS record tape serial number 6219, and place into another RRS case to eliminate possibility there may have been a hardware problem in the case itself, making reading of anything other than the 32 word header impossible. Mr. NCIS (b)(6), (b)(7)(C) disassembled the cassette and removed the tape. Several attempts to place the tape in other cassettes were made. NCIS (b)(6), (b)(7)(C) experienced problems in getting the tape to properly feed back on the windup reel, and a decision not to proceed further was made, fearing the possibility of destroying whatever evidence the tape may have held. The process of NCIS (b)(6), (b)(7)(C) working with the RRS cassette was video taped to document the procedure since the RRS tape was in the NCIS evidence system, and the tape is part of the case file.

Although efforts to eliminate hardware problems in the RRS cassette itself were not possible, NCIS (b)(6), (b)(7)(C) determined it was functioning properly and the RRS record tape serial number 6219 had been initialized meaning all was functioning properly, and the only data present was the 32 word header. The header was dated 980129, several days before the mishap flight. NCIS (b)(6), (b)(7)(C) and his personnel, having all the data from the 8mm tape are processing it, and will later provide all the data available to RA and Trial Counsel as part of this

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investigation.

ENCLOSURES:

- (1) 32 word header from RRS tape ser 6219/09Jul98
- (2) Print screen function from TEAMS system/09Jul98
- (3) Binary printout of 32 word header/09Jul98

BIOGRAPHICAL DATA

EMPLOYMENT: Dept of Navy, EA6B Software Sup Act, Pt Mugu, CA

SSA [REDACTED]

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

POB [REDACTED]

REPORTED BY:

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

OFFICE:

NCISFO Carolinas, Camp Lejeune, NC

DATE TYPED:

15JUL98

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Pages 1231 through 1235 redacted for the following reasons:

Enclosures (1 - 3) to Exhibit (213): Referred to United States Marine Corps
Enclosures (1 - 3) to Exhibit (213): Referred to the United States Marine Corps

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] (b)(6), (b)(7)(C)

On 10Jul98, reporting agent interviewed Maj [REDACTED] (b)(6), (b)(7)(C) USMC, regarding the EA6B prowler aircraft mishap which occurred on 03Feb98, near Cavalese, Italy. Maj [REDACTED] (b)(6), (b)(7)(C) was a Special Assistant to the JAGMAN Board which initially investigated the mishap. Reporting agent discussed several topics with Maj [REDACTED] (b)(6), (b)(7)(C) to clarify his conclusions on those specific topics, based on the information he learned as a Special Assistant to the Board.

Maj [REDACTED] (b)(6), (b)(7)(C) was asked about the hand-held video camera found inside the front cockpit of the mishap aircraft. He was asked if it would have been an unsafe practice for a front seater to handle and/or use that camera while the plane was in flight. Maj [REDACTED] (b)(6), (b)(7)(C) noted he and the Board felt the crew had not used video camera during the flight. He added if the plane was at a high altitude, or if it were still on the ground, handling/using the video camera in the front seat should not be a problem. However, Maj [REDACTED] (b)(6), (b)(7)(C) related handling or looking through the viewfinder of a hand-held video camera would not be a good idea for a front seater in an aircraft flying at 1000' AGL, going too fast and flying off of the pre-planned route.

Reporting agent asked Maj [REDACTED] (b)(6), (b)(7)(C) of the Board's conclusions about the "character" of the flight, which are located in paragraph #1397 on page 66 of the JAGMAN Board's Investigation Report, amounted to "flathatting." Maj [REDACTED] (b)(6), (b)(7)(C) stated the Board firmly concluded that on two legs of the flight, the plane was flown below 1000' AGL, and that they were flying too fast, according to regulations. He added that the plane's mission data record tape, which gives a "flavor" of the flight, indicated the plane was flown aggressively on the same two legs of the flight. He said it would be hard for him to swear that the crew was flathatting on those legs; however, he noted he also could not say that "the Board found no evidence of flathatting." Maj [REDACTED] (b)(6), (b)(7)(C) related he would not describe what the crew was doing with the plane on that flight as "polishing their skills" either. According to Maj [REDACTED] (b)(6), (b)(7)(C) statements from the Italian eyewitnesses indicated to him that the crew was probably flying the plane low, below 1000' AGL, and he noted everyone in MAG-14 knew they were not to fly below 1000' AGL.

Maj [REDACTED] (b)(6), (b)(7)(C) advised that he and Capt [REDACTED] (b)(6), (b)(7)(C) USMC compiled the data points used by the Board to determine the conduct of the mishap flight. He explained the data points were not used to create an exact reconstruction of the flight; rather, they were used in order for the Board members to get at "flavor" of the flight so they could report that to the convening authority. Maj [REDACTED] (b)(6), (b)(7)(C) indicated Capt [REDACTED] (b)(6), (b)(7)(C) did most of the input regarding the data points, and [REDACTED] (b)(6), (b)(7)(C) assisted him in plotting the points. He recalled

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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they considered the terrain, eyewitness information, AWACS data and the mission data information in order to plot the data points they used in the Board's report. If a point was hard to plot due to the terrain on the maps, he and [REDACTED] used either the previous point or the next point in the data. Maj [REDACTED] described the INS system on the mishap plane as "pretty tight" because the last data point fell right on the location of the gondola cable. He advised the AWACS data points they used were consistent with the mission data points they had, and the two different points were "roughly in the same ball park". Maj [REDACTED] indicated he and [REDACTED] interpolated on some questionable points, but when that occurred, they gave the crew the benefit of the doubt and erred on the higher side rather than the lower side. He said he was 99 percent sure they used every data point available to them on the last leg of the flight, most of the points on the second leg of the flight and every few data points on several of the other legs of the flight.

Maj [REDACTED] reiterated he and [REDACTED] knew when they documented the data points that they were not trying to prove a case in court; rather, they were simply trying to determine the "flavor" of the conduct of the mishap flight. He was unsure whether or not the data record tape was capable of recording pitch and roll data. He believed Maj MEISENHEIMER would be the expert in that field.

Reporting agent asked Maj [REDACTED] if the Board concluded that whenever Capt [REDACTED] flew below 1000' AGL, he was immediately correcting back to 1000' AGL. Maj [REDACTED] stated the Board did not come to that conclusion.

Maj [REDACTED] did not believe the crew was ever lost on their flight. He indicated they got off course a bit, but he did not think they were disoriented. He noted the Board determined the crew missed the corridor they should have taken, but then took the next one.

When asked about the "Negative 2G Bunt Theory", Maj [REDACTED] was unsure of who initially came up with it, but he recalled Capt [REDACTED] talking about it. He explained the Board discussed it because they tried to put themselves in the cockpit and tried to think what the mishap crew did on the flight. He recalled the Board discussed the theory that, if the -2G bunt occurred just before impact, then the gondola cable hit the wing and the tail of the plane and saved it from crashing into the ground. Despite the discussion of the bunt theory, Maj [REDACTED] stated there is no way to determine when the plane hit -2G during the flight. He noted G Meters have taken "spikes" upon landing hard, such as the no flap, no slat landing the crew made after the mishap. Maj [REDACTED] indicated there is a G Meter in front cockpit of the plane, which indicated the -2G spike. He related there is a second G Meter in the Prowler which he did not think had been checked after the flight. He advised that G

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Meter is located in either the nose or the rear end of the plane. Maj [redacted] (b)(6), (b)(7)(C) stated he did not know if the Prowler is capable of achieving a -2G spike by purposely nosing over during flight.

Reporting agent asked Maj [redacted] (b)(6), (b)(7)(C) to describe the use of the Top Scene/Power Scene system by the Board members. Maj [redacted] (b)(6), (b)(7)(C) described the system as being like a video game. He noted it had a 2 dimensional, black and white screen, and it was set up for USAF F-16 training. He stated it was not a "flight simulator". He advised the person "flying" it sat at a desk and looked at a screen. He related there was no RADALT, like in a Prowler, and he believed it had a HUD display on the screen. Maj [redacted] (b)(6), (b)(7)(C) added the speed started at 420 knots and only got faster. The driver had no control over the speed of the flight on the system.

Maj [redacted] (b)(6), (b)(7)(C) recalled that he, Capt [redacted] (b)(6), (b)(7)(C) and Col [redacted] (b)(6), (b)(7)(C) flew the system a couple of times. He indicated all of these flights occurred before the Board had any data points from the mission data record tape. He noted they used maps to determine where the mishap occurred and had to create a line across the valley on the screen in order to represent the gondola cable. According to Maj [redacted] (b)(6), (b)(7)(C) the first portion of the route flown by the Board members on the system began in a different valley than where the mishap occurred. The route then joined the correct valley just before impact with the cable.

Maj [redacted] (b)(6), (b)(7)(C) recalled USAF personnel made one videotape recording which contained a couple of passes down the valley flown by Col [redacted] (b)(6), (b)(7)(C), Maj [redacted] (b)(6), (b)(7)(C) and Capt [redacted] (b)(6), (b)(7)(C). He noted the videotape captured just the last minute or two of their flights, roughly from the high terrain after Trento to the mishap site.

Maj [redacted] (b)(6), (b)(7)(C) stated after using the system and seeing the video tape of the different passes down the valley, he believed there was the possibility that there could be some illusion while flying the last portion of the valley. However, he stated this was not a definite conclusion reached by the Board. He stated the Board could not include any information about the possibility of an illusion in the report because there were no hard facts to show that was what happened to the mishap crew. Maj [redacted] (b)(6), (b)(7)(C) advised the Top Scene/Power Scene system was not used to prove anything, and the Board based all of the information in their report on available facts.

Maj [redacted] (b)(6), (b)(7)(C) further advised that a 3 dimensional view of the valley, such as that which the crew would have seen, would be different than what appeared on the Top Scene/Power Scene videotape. In addition, he opined if the mishap crew reacted to an illusion while flying at 1000' AGL, they would have been less likely to drop to 370' AGL than if they were flying at 500' AGL. Maj [redacted] (b)(6), (b)(7)(C) indicated

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evidence, and made copies for the chart file and the report.

MAJ [REDACTED] provided no additional information pertinent to this investigation during this interview.

BIOGRAPHICAL DATA

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

SSN: [REDACTED]

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

POB: [REDACTED]

UNIT: Assistant Operations Officer, MAG-14, 2DMAW,
Cherry Point, NC

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

REPORTED BY:

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

OFFICE:

NCISFO CAROLINAS

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

On 10Jul98, reporting agent interviewed Col [REDACTED] (b)(6), (b)(7)(C) USMC, regarding the EA6B Prowler aircraft mishap which occurred on 03Feb98, near Cavalese, Italy. Col [REDACTED] (b)(6), (b)(7)(C) was a member of the JAGMAN Board which initially investigated the mishap. Reporting agent discussed several topics with Col [REDACTED] (b)(6), (b)(7)(C) in order to clarify his recollection of the Board's position on those specific topics.

Reporting agent asked Col [REDACTED] (b)(6), (b)(7)(C) what determinations the Board made on the issue of a hand-held video camera being found in the front cockpit of the mishap plane. More specifically, Col [REDACTED] (b)(6), (b)(7)(C) was asked if the Board considered it a violation of any safety issues to have a hand-held video camera in the front cockpit of the plane on a low level flight. Col [REDACTED] (b)(6), (b)(7)(C) advised the Board did not make a determination on whether or not it was a violation to have a hand-held video camera in the front cockpit of the plane. He noted it is neither uncommon nor inherently unsafe for Prowler crews to have cameras in the cockpit because they are used for intelligence gathering. He indicated if the camera had been used by one of the aircrew during the flight, it would have taken away from that crew members' total situational awareness while he was using the camera. However, Col [REDACTED] (b)(6), (b)(7)(C) noted the Board had no information to indicate the camera had been handled or used by any of the aircrew during the mishap flight.

Col [REDACTED] (b)(6), (b)(7)(C) was asked about the Board's conclusions regarding the "character" of the mishap flight. Specifically, reporting agent asked Col [REDACTED] (b)(6), (b)(7)(C) if the verbiage in the Board's conclusion #1397, located on page 66 of the Board's Investigation Report, amounted to "flathatting". Col [REDACTED] (b)(6), (b)(7)(C) noted the term flathatting is an inflammatory term. He stated he would not characterize the crew's action on the mishap flight as flathatting, based on his knowledge of how that term is defined. He indicated the "intent" to flathat would need to be present in order to describe their actions as flathatting, and he explained the Board could not determine the crew's "intent" for their actions during the mishap flight.

Col [REDACTED] (b)(6), (b)(7)(C) stated it is clear the crew was negligent. He explained the crew should have been flying at a higher altitude, and that they were flying too fast and above the restricted airspeed for that flight. Col [REDACTED] (b)(6), (b)(7)(C) advised the Board never made the determination as whether the crew was criminally negligent. He added he thought the crew was training hard, but that they were training in the wrong area for what they did during that flight.

Reporting agent asked Col [REDACTED] (b)(6), (b)(7)(C) if the Board believed the mishap crew was "polishing their skills" during the mishap flight. Col [REDACTED] (b)(6), (b)(7)(C) stated it would be hard to say that the crew was "polishing

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their skills" during the mishap flight. He indicated from what he observed as a Board member, it would be more appropriate to say that the crew was preparing for certain training requirements they would have to fulfill upon their return to the United States. Col NCIS (b)(6), (b)(7)(C) noted a 1000' AGL Low Level training flight in the Italian Alps is not an inherently dangerous or challenging flight. He described it as a good starting point for the crew to "get back in the saddle" as far as their low level training was concerned.

Col NCIS (b)(6), (b)(7)(C) was asked if the Board determined that Capt NCIS (b)(6), (b)(7)(C) whenever he flew below 1000' AGL, appeared to have been immediately correcting back to 1000' AGL. Col NCIS (b)(6), (b)(7)(C) stated it is inaccurate to say that the Board made that conclusion because the Board never made that determination. Col NCIS (b)(6), (b)(7)(C) indicated that based on Capt NCIS (b)(6), (b)(7)(C) statement to them, the Board believed he was trying to keep the plane at a safe altitude. Col NCIS (b)(6), (b)(7)(C) noted the Board gave Capt NCIS (b)(6), (b)(7)(C) the benefit of the doubt on this issue because they did not have enough information to determine that he intended to do otherwise. Based on the available information, ie. the Mission Data tape, the AWACS data and the Italian witness statements, Col NCIS (b)(6), (b)(7)(C) stated the Board believed they knew what Capt NCIS (b)(6), (b)(7)(C) did on that flight. Specifically, Col NCIS (b)(6), (b)(7)(C) stated the Board determined Capt NCIS (b)(6), (b)(7)(C) flew well above 1000' AGL when going cross-compartment, and in the valleys he flew below 1000' AGL when he could.

Reporting agent asked Col NCIS (b)(6), (b)(7)(C) if he could describe the "Bunt Theory". Col NCIS (b)(6), (b)(7)(C) advised the term "Bunt" is not a NATOPS term. Rather, he noted it was a term used to describe what Capt NCIS (b)(6), (b)(7)(C) did in the plane just prior to impacting the cables. Col NCIS (b)(6), (b)(7)(C) was not sure who first came up with the term, "bunt". Col NCIS (b)(6), (b)(7)(C) advised the Board determined the plane had a nose low/right wing up attitude when it hit the cables. He stated that determination was based upon the size of the cables, how they were strung across the valley and how they married up with the size of the damage and the location of the damage to the plane. Col NCIS (b)(6), (b)(7)(C) also indicated one supposition by the Board was that the wires acted as a "fish hook" for the plane, pulling the plane back to a nose high attitude upon impact. Col NCIS (b)(6), (b)(7)(C) stated that theory was strictly supposition by the Board members.

Col NCIS (b)(6), (b)(7)(C) was asked if the mishap crew should have been using visual cues during their flight in addition to monitoring the RADALT. Col NCIS (b)(6), (b)(7)(C) advised the crew should have been using visual cues as a means of maintaining situational awareness during the flight, as well as checking their instruments. He added, the proficiency of the crew members on low level flights has an impact when considering their use of visual cues to maintain situational awareness. Col NCIS (b)(6), (b)(7)(C) explained aircrews who are proficient in low level flights have better "eyeball calibration" and are more

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familiar with the use of visual cues as a means of maintaining situational awareness. He noted the opposite is true for aircrews who are not proficient in low level flights, as was the case with the mishap crew because none of them had flown a low level for several months.

Reporting agent asked Col NCIS (b)(6), (b)(7)(C) if the Board determined that the mishap crew was lost at any time during the flight. Col NCIS (b)(6), (b)(7)(C) advised the Board determined the plane was temporarily outside the boundaries of their route in the Trento area; however, it appeared they were correcting back to the proper course.

Col NCIS (b)(6), (b)(7)(C) was asked about the data points used by the Board to determine information about the character of the mishap flight. Col NCIS (b)(6), (b)(7)(C) stated he was not sure exactly which data points were used or why they were used. He indicated Maj NCIS (b)(6), (b)(7)(C) and Capt NCIS (b)(6), (b)(7)(C) were the two Board members who compiled that information.

Reporting agent asked Col NCIS (b)(6), (b)(7)(C) to describe the Board's examination of the information gleaned from the use of the Top Scene/Power Scene video. Col NCIS (b)(6), (b)(7)(C) believed Col NCIS (b)(6), (b)(7)(C) and Maj NCIS (b)(6), (b)(7)(C) were the Board members who "flew" the Top Scene/Power Scene flight. He noted they flew it prior to the Board having any of the data points from the mishap plane's mission data record tape. He indicated they just flew what they believed was the route flown by the mishap crew.

Col NCIS (b)(6), (b)(7)(C) recalled Col NCIS (b)(6), (b)(7)(C) and Maj NCIS (b)(6), (b)(7)(C) brought a video tape recording back from their flights on Top Scene/Power Scene. He stated he viewed the tape and got the impression that there was a visual illusion present when the plane flew from a narrow valley into a wider valley. He described the illusion as feeling that "you were higher than you actually were." Col NCIS (b)(6), (b)(7)(C) stated he always thought that's what happened to the aircrew, but he added that is why they should have relied on their instruments to keep them within the proper parameters. Col NCIS (b)(6), (b)(7)(C) stated he did not know if the impression he got by watching the video was articulated by anyone else on the Board. He was not sure if MajGen DELONG got that same impression because MajGen NCIS (b)(6), (b)(7)(C) was not present when Col NCIS (b)(6), (b)(7)(C) viewed the tape. Col NCIS (b)(6), (b)(7)(C) stated he was not sure if the mishap crew saw the same illusion when they flew the route.

Col NCIS (b)(6), (b)(7)(C) added the illusion theory was pure speculation, and that is why it was not addressed in the JAGMAN Investigation Report. He explained further that there was no RADALT like what's inside a Prowler cockpit, rather, there was an altitude readout on the screen. Col NCIS (b)(6), (b)(7)(C) stated that was another reason the Top Scene/Power Scene video was not in the report. He advised the

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information resulting from watching that video was possibly misleading due to the difference between the Top Scene/Power Scene system and an actual flight. He added the Board's job was to report facts, and the video was not considered a fact because it only showed how Col [REDACTED] NCIS (b)(6), (b)(7)(C) flew the route, not how Capt [REDACTED] NCIS (b)(6), (b)(7)(C) flew it. Col [REDACTED] NCIS (b)(6), (b)(7)(C) believed the only value the Board derived from the video was to gain some situational awareness of the flight and route.

Reporting agent asked Col [REDACTED] NCIS (b)(6), (b)(7)(C) about the accordion folder, or chart file, the Board recovered from the VMAQ-2 Ready Room. Col [REDACTED] NCIS (b)(6), (b)(7)(C) did not believe this file had been confiscated by the Accident Mishap personnel prior to the arrival of the JAGMAN Board. He believed Col [REDACTED] NCIS (b)(6), (b)(7)(C) visited VMAQ-2 the day after the JAGMAN Board's arrival and Maj [REDACTED] NCIS (b)(6), (b)(7)(C) brought the chart file back from VMAQ-2 at that time. Col [REDACTED] NCIS (b)(6), (b)(7)(C) described the significance of the chart file to the Board. He noted part of the BOARD's charter was to determine if the crew had all of the information they needed in order to safely fly the route. He indicated the chart file was produced on a previous deployment, and the Board determined the mishap crew did have the necessary information, but they didn't know it. Col [REDACTED] NCIS (b)(6), (b)(7)(C) indicated the information on the kneeboard card from TEAMS looked like a planning factor, so the Board could not say it was a restriction. He explained if the appropriate publications that define low level flights were reviewed, the crew should have known the 2000' AGL altitude on the kneeboard cards was a restriction. However, the Board concluded the crew was not looking for the restrictions when they planned the flight.

Col [REDACTED] NCIS (b)(6), (b)(7)(C) was asked if he knew whether or not the mishap aircraft's mission data recorder was capable of recording pitch and roll information during the flight. Col [REDACTED] NCIS (b)(6), (b)(7)(C) was not sure, but he believed it possibly could have. He explained the mission data tape recorded airspeed, altitude, latitude and longitude. He noted it makes a recording every certain number of seconds during the flight, or whenever there is a change in any of the four categories mentioned above. Col [REDACTED] NCIS (b)(6), (b)(7)(C) added, more data points were available from the data tape when the plane was in the valley because of the way it was flying.

Col [REDACTED] NCIS (b)(6), (b)(7)(C) provided no additional information pertinent to this investigation during this interview.

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BIOGRAPHICAL DATA

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

SSN:

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

POB:

UNIT: G3, 2DMAW, MCAS, Cherry Point, NC

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

REPORTED BY:

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

OFFICE:

NCISFO CAROLINAS

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CCN: 15APR98-0023-0036-7HMS

ON 22JUL98, MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) MARINE AIRCRAFT GROUP-31 GROUND SUPPLY OFFICER, 2ND MARINE AIRCRAFT WING, MARINE AIR STATION BEAUFORT, S.C.) ESCORTED REPORTING AGENT AND MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C) TRIAL COUNSEL, LEGAL SERVICE SUPPORT CENTER, 2ND FORCE SERVICE SUPPORT GROUP, CAMP LEJEUNE, N.C.) TO THE 31ST SECURITY FORCE SQUADRON (SFS) OFFICE, AVIANO AIR BASE, ITALY, TO SIGN OUT THE KEY TO HANGER T29 (TOWER LOOP), WHICH WAS THE LOCATION WHERE THE MARINE EA-6B PROWLER (BUREAU# 163045) IN QUESTION WAS STORED AS EVIDENCE.

AT 1533 HOURS, UPON ARRIVING AT HANGER T29, THE SERIALIZED SEAL (SERIAL# N-651506), WHICH SECURED THE AMMUNITION CAN CONTAINING THE KEY (AMERICAN LOCKER COMPANY KEY# 25786) TO HANGER T29 WAS BROKEN OPEN BY SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF [REDACTED] NCIS (b)(6), (b)(7)(C) OPERATIONS SECTION, 31ST SECURITY FORCE SQUADRON, AVIANO AIR BASE, ITALY), IN THE PRESENCE OF REPORTING AGENT, MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) AND MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C). BEFORE SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) BROKE OPEN THE THREE (3) SERIALIZED SEALS (TOP SEAL: 62790852; MIDDLE SEAL: 62790853; AND THE BOTTOM SEAL: 62790854), THEY WERE INSPECTED BY REPORTING AGENT AND MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C). ALL THE SERIALIZED SEALS, AS WELL AS THE NAVAL CRIMINAL INVESTIGATIVE SERVICE (NCIS) EVIDENCE TAPE SEALS, INITIALS [REDACTED] NCIS (b)(6), (b)(7)(C) AND DATED 17JUL98, WERE UNDISTURBED. AFTER REMOVING THE SERIALIZED SEALS, SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) OPENED THE PADLOCK (AMERICAN LOCK USA) AND TURNED OVER THE KEY TO REPORTING AGENT.

THE FOLLOWING PERSONNEL ENTERED HANGER T29:

1. REPORTING AGENT
2. MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C)
3. MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C)
4. SSGT [REDACTED] NCIS (b)(6), (b)(7)(C)
5. SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) G-4, HQ, MARFOREUR, BOBLINGEN, GE
6. MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NAVAL AVIATION DEPOT (NADEP), JACKSONVILLE, FL. (DOB [REDACTED] NCIS (b)(6), (b)(7)(C))
7. MR. [REDACTED] NADEP, JACKSONVILLE, FL.
8. MR. [REDACTED] NADEP, JACKSONVILLE, FL.
9. MR. [REDACTED] NCIS (b)(6), (b)(7)(C) DEP, JACKSONVILLE, FL. (DOB [REDACTED] NCIS (b)(6), (b)(7)(C))
10. MR. [REDACTED] NADEP, JACKSONVILLE, FL. (DOB [REDACTED] NCIS (b)(6), (b)(7)(C))
11. MR. [REDACTED] NADEP, JACKSONVILLE, FL. (DOB [REDACTED] NCIS (b)(6), (b)(7)(C))
12. MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NADEP, JACKSONVILLE, FL. (DOB [REDACTED] NCIS (b)(6), (b)(7)(C))
13. SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF [REDACTED] NCIS (b)(6), (b)(7)(C) 31ST SFS, AVIANO AB, ITALY
14. SMSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, 31ST OPERATIONS SUPPORT SQUADRON, AVIANO AB, ITALY
15. MSGT [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, 31ST TRANS SQUADRON, AVIANO AB, ITALY
16. SRA [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, 31ST TRANS SQUADRON, AVIANO AB, ITALY
17. AMN [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, 31ST TRANS SQUADRON, AVIANO AB, ITALY
18. AIC [REDACTED] NCIS (b)(6), (b)(7)(C) USAF, 31ST TRANS SQUADRON, AVIANO AB, ITALY

REPORTING AGENT INSPECTED ALL NCIS EVIDENCE TAPE SEALS ON SUBJECT EA-6B PROWLER, WHICH SECURED BOTH COCKPITS, LEFT AND RIGHT AVIANICS BAYS, AND THE

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PAGE 01 OF 02 [REDACTED] NCIS (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REAR DROP-DOWN DOOR. ALL EVIDENCE TAPE SEALS, WHICH WERE DATED 17JUL98 AND INITIALED ~~NCIS (b)(6), (b)(7)(C)~~ WERE UNDISTURBED.

AFTER THE NADEP TEAM ASSESSED THE DAMAGE TO THE EA-6B PROWLER IN QUESTION, AND STAGED AN ENGINE STAND AND TWO (2) PALLETS OF TOOLS (NEEDED TO BREAK DOWN SUBJECT AIRCRAFT), HANGER T29 WAS SECURED AT 1633 HRS BY REPORTING AGENT. THIS WAS DONE BY LOCKING THE HANGER'S SIDE HATCH WITH THE SAME "AMERICAN LOCK USA" PADLOCK AND PLACING THREE (3) INITIALED AND DATED NCIS EVIDENCE TAPE SEALS ON THE DOOR. THE AFOREMENTIONED PADLOCK AND NCIS EVIDENCE TAPE SEALS WERE INSPECTED BY MAJOR ~~NCIS (b)(6), (b)(7)(C)~~ TO ENSURE THE HANGER WAS PROPERLY SECURED PRIOR TO TURNING OVER THE PADLOCK KEY IN QUESTION TO CENTRAL SECURITY CONTROL/BUILDING# 1170, VICTOR LOOP, AVIANO AIR BASE, ITALY.

REPORTING AGENT: ~~NCIS (b)(6), (b)(7)(C)~~
OFFICE: NCISRA SIGONELLA, ITALY
DATE TYPED: 27JUL98

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PAGE 02 LAST ~~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: SEIZURE OF EVIDENCE FROM EA-6B PROWLER, BUREAU# 163045

AT 0858 HRS, ON 23JUL98, REPORTING AGENT REPORTED TO THE CENTRAL SECURITY CONTROL (CSC) OFFICE (BLDG#1170), VICTOR LOOP, AVIANO AIR BASE, ITALY, AND SIGNED OUT THE KEY TO HANGER T29, TOWER LOOP, FROM SSGT [REDACTED] NCIS (b)(6), (b)(7)(C) PRESENT WITH REPORTING AGENT WERE MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) USMC [REDACTED] NCIS (b)(6), (b)(7)(C) TRIAL COUNSEL, LEGAL SERVICE SUPPORT CENTER, 2ND FORCE SERVICE SUPPORT GROUP, CAMP LEJEUNE, N.C.), AND CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) [REDACTED] NCIS (b)(6), (b)(7)(C), USMC [REDACTED] NCIS (b)(6), (b)(7)(C) NAVY LEGAL SERVICES OFFICE, NAVY SUPPORT ACTIVITY, NAPLES, ITALY). HANGER T29 WAS THE LOCATION WHERE THE MARINE EA-6B PROWLER (BUREAU# 163045) IN QUESTION WAS STORED AS EVIDENCE.

REPORTING AGENT AND MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) ARRIVED AT HANGER T29 AT 1043 HRS. THE PADLOCK (AMERICAN LOCK USA), AS WELL AS THE NAVAL CRIMINAL INVESTIGATIVE SERVICE (NCIS) EVIDENCE TAPE SEALS (TOTAL OF THREE), WHICH HAD BEEN DATED (22JUL98) AND INITIALED [REDACTED] NCIS (b)(6), (b)(7)(C) BY REPORTING AGENT THE PREVIOUS DAY WERE ALL INTACT. AT 1044 HRS, REPORTING AGENT, MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) CAPT [REDACTED] NCIS (b)(6), (b)(7)(C) AND THE PERSONNEL LISTED HEREINBELOW ENTERED HANGER T29:

- * MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NAVAL AVIATION DEPOT (NADEP), JACKSONVILLE, FL.
- * MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NADEP, JACKSONVILLE, FL.
- * MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NADEP, JACKSONVILLE, FL.
- * MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NADEP, JACKSONVILLE, FL.
- * A1C [REDACTED] NCIS (b)(6), (b)(7)(C), USAF [REDACTED] NCIS (b)(6), (b)(7)(C) VISUAL INFORMATION, 31ST COMMUNICATIONS SQUADRON, 31ST FIGHTER WING, AVIANO AIR BASE, ITALY

IMMEDIATELY UPON ENTERING HANGER T29, REPORTING AGENT INSPECTED ALL NCIS EVIDENCE TAPE SEALS ON SUBJECT EA-6B PROWLER, WHICH SECURED BOTH COCKPITS, LEFT AND RIGHT AVIANICS BAYS, AND THE REAR DROP-DOWN DOOR. ALL EVIDENCE TAPE SEALS, WHICH WERE DATED 17JUL98 AND INITIALED [REDACTED] NCIS (b)(6), (b)(7)(C) WERE UNDISTURBED.

THE FOLLOWING FIVE (5) COMPONENTS WERE REMOVED FROM SUBJECT EA-6B PROWLER BY MR. [REDACTED] NCIS (b)(6), (b)(7)(C) (NADEP), AND TURNED OVER TO REPORTING AGENT FOR EVIDENTIARY PURPOSES. THE REMOVAL OF THESE ITEMS WAS RECORDED, BY VIDEO CAMCORDER, BY A [REDACTED] NCIS (b)(6), (b)(7)(C) SUPRA:

1. AT 1107 HRS, MR. [REDACTED] NCIS (b)(6), (b)(7)(C) OPENED THE "RIGHT AVIONICS BAY" AND REMOVED THE "IMU-ASN 130 GYRO" (SERIAL# NNM 372; PART NUMBER 879010-2) AT 1108 HRS. THE "IMU-ASN 130 GYRO" IS PART OF THE INERTIAL NAVIGATION SYSTEM. ACCORDING TO [REDACTED] NCIS (b)(6), (b)(7)(C) VISUAL INSPECTION OF MOUNTS HOLDING THE "IMU-ASN 130 GYRO" DISCLOSED ALL APPEARED TO BE INTACT, AND THAT NO FOREIGN OBJECTS WERE NOTED. THE REMOVAL AND INSPECTION OF THE "IMU-ASN 130 GYRO" AND THE MOUNTS WAS COMPLETED AT 1117 HRS.
2. AT 1119 HRS, THE FRONT COCKPIT WAS OPENED BY NADEP PERSONNEL, AND THE "CDI CONTROL DISPLAY INDICATOR" (SERIAL# MTY002; ID-2311/A) WAS INSPECTED

EXHIBIT () 217

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

BY MR. [REDACTED] ACCORDING TO MR. [REDACTED] COMPLETE VISUAL INSPECTION OF THE COMPARTMENT IN WHICH THE "CDI CONTROL DISPLAY INDICATOR" CAME OUT OF WAS INTACT. MOREOVER, THE AIRCRAFT WIRING IN WHICH SUBJECT UNIT CAME OUT OF WAS ALSO INTACT. MR. [REDACTED] ALSO NOTED A CRIMP TYPE SPLICE VICE AN ENVIRONMENTAL SPLICE ON ONE OF THE WIRES AND COMMENTED THAT THE CRIMP TYPE SPLICE WAS THE "OLD WAY OF DOING THINGS," AND WAS NOT ACCORDING TO CURRENT SPECIFICATIONS.

- MR. [REDACTED] NCIS (b)(6), (b)(7)(C) NADEP, JACKSONVILLE, FL., ENTERED THE T29 HANGER SPACES AT 1130 HRS.
- 3. AT 1145 HRS, MR. [REDACTED] REMOVED THE BOLTS AND OPENED THE "AFT EQUIPMENT BAY" TO REMOVE THE "AIR NAVIGATIONAL COMPUTER" (SERIAL# JZJ001; PART# 4020221-902). THE "AIR NAVIGATIONAL COMPUTER" WAS REMOVED CIRCA 1203 HRS. A VISUAL INSPECTION OF INSIDE THE "AFT EQUIPMENT BAY," BY MR. [REDACTED] DISCLOSED NO DISCREPENCIES.
- AT 1217 HRS, REPORTING AGENT SECURED HANGER T29 WITH THE "AMERICAN LOCK USA" PADLOCK AND TWO (2) NCIS EVIDENCE TAPE SEALS TO BREAK FOR THE NOON MEAL. THIS WAS DONE PRIMARILY BECAUSE THE USAF WAS CONDUCTING AN EXERCISE BTWN 1245 HRS AND 1330 HRS, WHICH REQUIRED THE HANGER DOORS TO BE SECURED. BOTH, THE PADLOCK AND THE NCIS EVIDENCE TAPE SEALS, WHICH WERE INITIALED AND DATED BY REPORTING AGENT, WERE DOUBLE CHECKED BY MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C)
- AT 1352 HRS, REPORTING AGENT RE-OPENED THE T29 HANGER SIDE HATCH. BOTH NCIS EVIDENCE TAPE SEALS, AS WELL AS THE "AMERICAN LOCK USA" PADLOCK WERE INTACT. THIS WAS ALSO CONFIRMED BY MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C)
- 4. CIRCA 1417 HRS, MR. [REDACTED] REMOVED THE "AIR DATA COMPUTER CPU-140/A" (SERIAL# 1796; PART# 50-055-03). MR. [REDACTED] REPORTED NOTHING UNUSUAL DURING THE REMOVAL OF THE "AIR DATA COMPUTER CPU-140/A," NOR WITH ITS CONNECTIONS GOING FROM THE AIRCRAFT TO THE RACK AND FROM THE RACK TO THE "AIR DATA COMPUTER CPU-140/A." MR. [REDACTED] ALSO RELATED THE AIRCRAFT WIRING WAS INTACT.
- 5. AT 1428 HRS, MR. [REDACTED] INITIATED THE EXTRACTION OF THE "AYK-14 COMPUTER" (SERIAL# RKF00067; PART# 13213591-02) FROM THE "AFT EQUIPMENT BAY." SUBJECT UNIT WAS EXTRACTED AT 1435 HRS. A VISUAL INSPECTION OF THE UNIT, BY MR. [REDACTED] NCIS (b)(6), (b)(7)(C) DISCLOSED "MINOR, NORMAL DAMAGE ON CASING SUCH AS SCRATCHES, DENTS AND KNICKS, WHICH DOES NOT AFFECT THE INSIDE COMPONENT." MR. [REDACTED] NCIS (b)(6), (b)(7)(C) ALSO REPORTED NO SIGN OF PHYSICAL DAMAGE TO THE OUTSIDE OF THE UNIT ITSELF.
- AT 1446 HRS, SUBJECT EA-6B PROWLER WAS RELEASED BY MAJOR [REDACTED] NCIS (b)(6), (b)(7)(C) TO THE NADEP TEAM LEADER, MR. THOMAS P. O'HAGAN.
- ALSO, AT 1446 HRS, THE ABOVE-MENTIONED COMPONENTS WERE SEIZED BY REPORTING AGENT AND ENTERED INTO THE NCIS EVIDENCE CUSTODY SYSTEM.

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PAGE 02 OF 03 NCIS (b)(6), (b)(7)(C)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ENCLOSURES

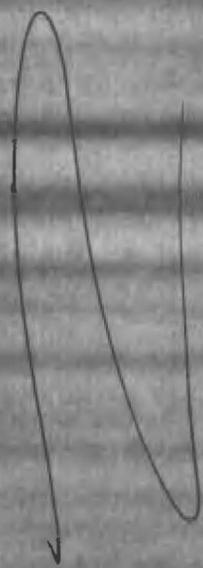
- (1) PHOTOSTAT OF NCIS EVIDENCE CUSTODY DOCUMENT
- (2) LTR/CUSTODY OF EA-6B Q-2 MISHAP AIRCRAFT, AVIANO, ITALY MAJOR
NCIS (b)(6), (b)(7)(C) 23JUL98

Enclosures (2)
MISSING!

REPORTING AGENT: NCIS (b)(6), (b)(7)(C)
OFFICE: NCISRA SIGONELLA, ITALY
DATE TYPED: 27JUL98

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PAGE 3 LAST NCIS (b)(6), (b)(7)(C)

EVIDENCE CUSTODY
DOCUMENTS



Enclosure (1)

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE PROPERTY RECEIPT

CODE <i>EVNA</i>	CONTROL <i>15-18-21-36-44-75</i>	LOG NUMBER	DATE AND TIME OF SEIZURE <i>1-22-10 1200</i>
NAME OF PERSON FROM WHOM PROPERTY SEIZED <div style="background-color: black; color: black;">[REDACTED]</div>		THIS RECEIPT MUST BE PRESENTED TO OBTAIN RELEASE (IF APPROPRIATE) OF ITEM(S) LISTED BELOW.	

The property listed below was received this date by a Special Agent, Naval Investigative Service.

ITEM	QUANTITY	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION AND VALUE WHEN APPROPRIATE.
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>
<i>(1)</i>	<i>1</i>	<i>[Faint handwritten description]</i>

001251

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

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

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE PROPERTY RECEIPT

CODE EUNA	CONTROL 15-18-23-36-11113	LOG NUMBER	DATE AND TIME OF SEIZURE 22 JUN 78 1300
NAME OF PERSON FROM WHOM PROPERTY SEIZED NCIS (b)(6), (b)(7)(C)		THIS RECEIPT MUST BE PRESENTED TO OBTAIN RELEASE (IF APPROPRIATE) OF ITEM(S) LISTED BELOW.	

The property listed below was received this date by a Special Agent, Naval Investigative Service.

ITEM	QUANTITY	DESCRIPTION/OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION AND VALUE WHEN APPROPRIATE.
(A)	1	ONE (1) BATTERY PACK ASSEMBLED WITH THE ITALIAN VHS TAPE
(B)	1	ONE (1) BATTERY PACK ASSEMBLED WITH THE ITALIAN VHS TAPE
(C)	1	ONE (1) BATTERY PACK ASSEMBLED WITH THE ITALIAN VHS TAPE
(D)	1	ONE (1) BATTERY PACK ASSEMBLED WITH THE ITALIAN VHS TAPE
(E)	1	ONE (1) BATTERY PACK ASSEMBLED WITH THE ITALIAN VHS TAPE
(F)	1	ONE (1) BATTERY PACK ASSEMBLED WITH THE ITALIAN VHS TAPE
(G)	2	TWO (2) ULTRA HIGH MINDER BATTERIES WHICH WERE INSIDE CAMERA CASE,
(H)	1	ONE (1) HIGH DENSITY DISKETTE WHICH CONTAINS COPY OF PHOTOGRAPHIC

NCIS (b)(6), (b)(7)(C)		NCIS (b)(6), (b)(7)(C)
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U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE PROPERTY RECEIPT

CODE <i>EINH</i>	CONTROL <i>100-118-111</i>	LOG NUMBER	DATE AND TIME OF SEIZURE <i>5-1-72</i>
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NCIS (b)(6), (b)(7)(C)

THIS RECEIPT MUST BE PRESENTED TO OBTAIN RELEASE (IF APPROPRIATE) OF ITEM(S) LISTED BELOW.

The property listed below was received this date by a Special Agent, Naval Investigative Service.

ITEM	QUANTITY	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION AND VALUE WHEN APPROPRIATE.
<i>A</i>	<i>1</i>	<i>TDK HS VHS TAPE which was sent to video center, taken by - [unclear] 8/4/72</i>

001253	NCIS (b)(6), (b)(7)(C)
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Pages 1254 through 1262 redacted for the following reasons:

Enclosures (1 - 3) to Exhibit (213): Referred to the United States Marine Corps

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CONTINUATION SHEET

NI TITLE: *ASSISTANCE TO THE AVIATION* CONTROL: *15 APR 98-0023-0036-7HMS*
I/MARFORANT, LEEFOLK, VA / NAISHAP JUDICIAL PROCESS

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A THRU E	31 Jul 98 0742	NAME <i>TEMPORARY E</i>	NCIS (b)(6), (b)(7)(C)	TRANSPORT TO EUNA
		ORGANIZATION <i>EVIDENCE</i>	ORGANIZATION <i>CALE</i>	
		SIGNATURE <i>LOCKER</i>	NCIS (b)(6), (b)(7)(C)	
A THRU E	31 Jul 98 1550	NCIS (b)(6), (b)(7)(C)	NAME <i>TEMP EVIDENCE LOCKER</i>	TEMP. CUSTODY
		ORGANIZATION <i>CALE</i>	ORGANIZATION <i>EUNA</i>	
		NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	
A THRU E	05 AUG 98 1456	NAME <i>EVIDENCE LOCKER</i>	NCIS (b)(6), (b)(7)(C)	TRANSPORT TO CALE (FROM TRANSFER)
		ORGANIZATION <i>EUNA</i>	ORGANIZATION <i>CALE</i>	
		NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 - 0023 - 0036 - 7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 28 MAY 98 - 15 15
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED SAFETY CTR, 31 FW, AVIANO, ITALY	
MI TITLE MARFORLANT NORFOK VA ASSISTANCE TO THE ADVANCED MISHAP JUDICIAL			

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE
A	1		ONE MAP FOR AV047 WITH THE FA-63 ROUTE CARD, TRACK: 64-AV047 LOW LEVEL, ON BACK IN A SEALED PLASTIC BAG
			NOTHING FOLLOWS

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	28 MAY 98 1540	NCIS (b)(6), (b)(7)(C) ORGANIZATION NCISFO NAPLES	NAME TEMP EVIDENCE ORGANIZATION SAFE AVIANO AFB, IT	TEMP CUSTODY
		NCIS (b)(6), (b)(7)(C)		
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EJDA	CONTROL 15 APR 98-0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 29 APR 98-1000
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED USAF WING SAFETY OFFICE BING #	

NI TITLE
I/MARFOR LANI NORFOLK, VA/ASSISTANCE TO THE AVIATION MISHAPE JUDICIAL PROCESS

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	#1		ONE VHS T-30, 3M VIDEO TAPE, SLICK IN COLOR WITH FOLLOWING NUMBERS PRINTED ON THE BOTTOM - 2722106D AND 2422050A. DEPICTING VARIOUS EMERGENCY FLIGHT LANDINGS, AND DAMAGE TO EA-6B MISHAP AIRCRAFT LAST ITEM

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NCIS (b)(6), (b)(7)(C)
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CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	29 APR 98 1030	NCIS (b)(6), (b)(7)(C) ORGANIZATION NCISFO-EUROPE	NAME TEMP-EVIDENCE ORGANIZATION USAF AVIATION ITALY AIRBASE SIGNATURE [Signature]	TEMP. STORAGE
A	D1 MAY 98 0905	NAME [Signature] ORGANIZATION Aviano Air Base, Aviano, Italy SIGNATURE	NAME [Signature] ORGANIZATION # FI 17104142 US SIGNATURE	REMOVAL OF EVIDENCE FOR JUDICIAL PROCESS
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE E-10A	CONTROL 15 APR 98-0073-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 29 APR 98-1000
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED USAF WING SAFETY OFFICE Bldg # 1369	

NI TITLE
I/MARFOR LANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	01		ONE VHS T-30, 3M VIDEO TAPE, BLACK IN COLOR WITH FOLLOWING NUMBERS PRINTED ON THE BOTTOM - 2722106D AND 2422050A. DEPICTING VARIOUS EMERGENCY FLIGHT LANDINGS, AND DAMAGE TO EA-6B MISHAP AIRCRAFT <u>LAST ITEM</u>

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE) S/A
 NCIS (b)(6), (b)(7)(C)

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	29 APR 98 1030	NCIS (b)(6), (b)(7)(C)	NAME TEMP - EVIDENCE	Temp. STORAGE
		ORGANIZATION NCISFO-EUROPE	ORGANIZATION USAF AVIANO, ITALY AIRBASE	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE	
A	01 MAY 98 0805	NAME Temporary Evidence Locker	NAME Express Mail-USPS	Permanent transfer of evidence to CALE
		ORGANIZATION Aviano Air Base, Aviano, IT	ORGANIZATION # F1377104742 US	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 25 APR 98 1032
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED S-2, USMC Test City, Aviano, Italy	

NI TITLE
I/Mgr for land Norfolk, VA / Assistant to Aviano Mission

ITEM	QUAN-TITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		<p>One sealed plastic bag containing one EAGB Elint Record tape, marked for identification as "Secret" and "VMAQ-2 9700079. Item has ⁴⁸ serial number 15446.</p> <p style="text-align: right;"><i>nothing follows xdr</i></p>

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	25 APR 98 1123	NCIS (b)(6), (b)(7)(C)	<small>NAME</small> Temporary Evidence Lab <small>ORGANIZATION</small> FBI <small>SIGNATURE</small> NCIS (b)(6), (b)(7)(C)	Temporary Evidence Lab
		<small>NAME</small> Temporary Evidence Lab <small>ORGANIZATION</small> Aviano Air Base, Aviano <small>SIGNATURE</small> [Signature]	<small>NAME</small> [Signature] <small>ORGANIZATION</small> FBI 117104142 US <small>SIGNATURE</small> [Signature]	
A	01 MAY 98 0800	<small>NAME</small> Temporary Evidence Lab <small>ORGANIZATION</small> Aviano Air Base, Aviano <small>SIGNATURE</small> [Signature]	<small>NAME</small> Express Mail USPS <small>ORGANIZATION</small> FBI 117104142 US <small>SIGNATURE</small> [Signature]	FBI 117104142 US Evidence Lab CALL
		<small>NAME</small> [Signature] <small>ORGANIZATION</small> [Signature]	<small>NAME</small> [Signature] <small>ORGANIZATION</small> [Signature]	
		<small>NAME</small> [Signature] <small>ORGANIZATION</small> [Signature]	<small>NAME</small> [Signature] <small>ORGANIZATION</small> [Signature]	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 Apr 98-0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 25 Apr 98 1032
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED S-2, USMC Tent City, Aviano, Italy	

NI TITLE
I/Mar for land Norfolk, VA / Assistance to Aviano Mishap

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		<p style="font-size: 1.2em;">One sealed plastic bag containing one EAGB Elint Record tape, marked for identification as "Secret" and "VMAQ-2 9700079. Item has ^{no} ^{cont} serial number 15446.</p> <p style="text-align: right; font-style: italic;">nothing follows NCIS (b)(6), (b)(7)(C)</p>

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	25 APR 98 1123	NCIS (b)(6), (b)(7)(C)	<small>NAME</small> Temporary Evidence Locker	Temporary Storage
		<small>ORGANIZATION</small> EUNA	<small>ORGANIZATION</small> Aviano Air Base, Aviano, IT	
		NCIS (b)(6), (b)(7)(C)	<small>SIGNATURE</small> 	
A	01 MAY 98 0900	<small>NAME</small> Temporary Evidence Locker	<small>NAME</small> Express Mail- USPS	Permanent Transfer of Evidence to CALE
		<small>ORGANIZATION</small> Aviano Air Base, Aviano, IT	<small>ORGANIZATION</small> EI377104742 US	
		<small>SIGNATURE</small>	<small>SIGNATURE</small>	
		<small>NAME</small>	<small>NAME</small>	
		<small>ORGANIZATION</small>	<small>ORGANIZATION</small>	
		<small>SIGNATURE</small>	<small>SIGNATURE</small>	
		<small>NAME</small>	<small>NAME</small>	
		<small>ORGANIZATION</small>	<small>ORGANIZATION</small>	
		<small>SIGNATURE</small>	<small>SIGNATURE</small>	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 - 0023 - 0036 - 7HMS	LOG NUMBER 053-78	DATE AND TIME OF SEIZURE 06 MAY 98 / 1530
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED USMC VMAQ-4 S-6 OFFICE, AVIANO AFB, ITALY	

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

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		DIC DIGITAL 4MM 4-90M DATA CARTRIDGE LABELLED "224-07 WEDNESDAY".
			<p>No Further</p> <p>NCIS (b)(6), (b)(7)(C)</p> <p>COPIES</p>

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY		RECEIVED BY		PURPOSE
		NAME	ORGANIZATION	NAME	ORGANIZATION	
A	06 MAY 98 1550	NCIS (b)(6), (b)(7)(C)	EUNA	Temporary Evidence Locker	Aviano Air Base, Aviano, IT	Temporary Storage
		NCIS (b)(6), (b)(7)(C)		SIGNATURE	SIGNATURE	
		NCIS (b)(6), (b)(7)(C)		SIGNATURE	SIGNATURE	
A	08 MAY 98 0820	Temporary Evidence Locker	Aviano Air Base, Aviano, IT	NCIS (b)(6), (b)(7)(C)	EUNA	Transport to EUNA
		NCIS (b)(6), (b)(7)(C)		SIGNATURE	SIGNATURE	
		NCIS (b)(6), (b)(7)(C)		SIGNATURE	SIGNATURE	
A	11 MAY 98 0920	NCIS (b)(6), (b)(7)(C)	EUNA	Evidence Storage Locker	EUNA	Evidence Storage
		NCIS (b)(6), (b)(7)(C)		SIGNATURE	SIGNATURE	
		NCIS (b)(6), (b)(7)(C)		SIGNATURE	SIGNATURE	
		NAME	ORGANIZATION	NAME	ORGANIZATION	
		SIGNATURE	SIGNATURE	SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUN A	CONTROL 15 APR 98 - 0023 0036 - 7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 03 JUN 98 0100
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED ROUTE 48, SECURED WAREHOUSE, AVIANO, IT	

NI TITLE
I/MARFORLANT, NOR VA/ALLIANCE TO THE AVIANO MILITARY JUDICIAL PROCESS

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		ASSORTED GONDOLA PIECES
B	1		ASSORTED GONDOLA CABLES AND ATTACHMENTS

NOTE

FOLLOW

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

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A + B	03 JUN 98 0810	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	FOR TRANSPORTATION PURPOSES
		ORGANIZATION NCIS/NAVY NAPLES	ORGANIZATION USAF AVIANO TRANSPORTATION	
A + B	03 JUN 98 1710	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	FOR TEMP CUSTODY AT AVIANO
		ORGANIZATION USAF AVIANO TRANSPORTATION	ORGANIZATION NCIS	
A + B	04 JUN 98 1036	NCIS (b)(6), (b)(7)(C)	NAME/ MSGT E.A. Oueda	For turnover for packing, crating & transportation from Aviano.
		ORGANIZATION NCIS	ORGANIZATION 31 Trans, Aviano AB	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

FORM 100 (10/01) 011/0355 0000 011

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98-0023-0036-7HMS	LOG NUMBER 073-78	DATE AND TIME OF SEIZURE 17 MAR 98/1230
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NAME OF PERSON FROM WHOM PROPERTY SEIZED N/A	LOCATION WHERE PROPERTY SEIZED Safety Bldg. Aviano Air Base, Aviano, IT
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NI TITLE
I/MARFORLANT, Norfolk, VA Assistance to the Aviano Misdmg Judicial Process

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		<p>One (1) JVC brand VHS videocassette tape, marked "SECRET" EUNA 98-0484/1 and having the initials "CAG" and the date "06JUL98" on the back.</p> <p style="text-align: center; font-style: italic;">Nothing Follows</p>

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE)	NCIS (b)(6), (b)(7)(C)
--	------------------------

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	06 JUL 98 1220	NCIS (b)(6), (b)(7)(C)	NAME Evidence Storage Locker	Evidence Storage
		ORGANIZATION EUNA	ORGANIZATION EUNA	
		NCIS (b)(6), (b)(7)(C)		
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL IS APR 98 - 0023-0036-7HMS	LOG NUMBER 076-98	DATE AND TIME OF SEIZURE 17 JUL 98 1455
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED ITALIAN AF HQTS Bldg 965, AVIANO	

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

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		ONE MISSION DATA RECORDER CLASSIFIED SECRET, MU-706 / UYH-4, MODEL 6110, PN 102770-354, SN 15492, DATE 90J1, WT 1.80765, VMAO-2 # 97A0-140 COPY 1 OF 1
B	1		TOWER TAPE 3, IN USE 21 FEB 97, DATE 3 FEB TIME 0545 OFF 1807
C	1		TAPE 3, DATE ON: 01 FEB 98, TIME ON 2100 DATE OFF: 03 FEB 98, TIME OFF: 1924Z
NOTHING FOLLOWS			

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A, B, C	17 JUL 98 1455	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	TRANSFER OF EVIDENCE
		ORGANIZATION ITALIAN AF AVIANO, IT	ORGANIZATION NCIS NAPLES, IT	
A, B, C	17 JUL 98 2300	NCIS (b)(6), (b)(7)(C)	ASST. EVIDENCE CUSTODIAN EUNA	RECEIVED AND LOGGED SEALS INTACT CONTENTS NOT INVENTORIED PLACED IN VAULT STORAGE
		ORGANIZATION NCIS NAPLES, IT	ORGANIZATION EUNA	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15APR98-0023-0036-74MS	LOG NUMBER 077-98	DATE AND TIME OF SEIZURE 17JUL98 1515
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED HANGAR T-29, AVIANO AFB, IT	

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

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		ONE SEALED WOODEN CRATE CONTAINING VARIOUS AIRCRAFT PARTS SEIZED FROM CERMIS ONE MARINE EA-6B, PROWELER AIRCRAFT TAIL NUMBER # 163045
B	1		

NOTHING FOLLOWS

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A + B	17JUL98 1515	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	TRANSFER OF EVIDENCE
		ORGANIZATION ITALY AF, AVIANO, IT	ORGANIZATION NCIS NAPLES, IT	
		NCIS (b)(6), (b)(7)(C)		
A + B	17JUL98 1555	NCIS (b)(6), (b)(7)(C)	NAME SECURED HANGAR T-29	HOLD FOR EVIDENCE
		ORGANIZATION NCIS NAPLES, IT	ORGANIZATION AVIANO AFB, IT	
		NCIS (b)(6), (b)(7)(C)		
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

CHAIN OF CUSTODY (Continued)

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

REMARKS Log # was assigned AT 2305 when ECD - was giving by SA [redacted] NCIS (b)(6), (b)(7)(C) 17 JULY 98 [redacted] NCIS (b)(6), (b)(7)(C)

- AT 1445 hrs, ON 23 Jul 98, items A+B were released, by SA [redacted] NCIS (b)(6), (b)(7)(C) to MR. [redacted] NCIS (b)(6), (b)(7)(C), NAVAL AVIATION Dept, Jacksonville, FL, per MAJOR [redacted] NCIS (b)(6), (b)(7)(C) USMC, Trial Counsel. AT the time items A+B were released, this document was NOT AVAILABLE FOR MR. [redacted] NCIS (b)(6), (b)(7)(C) SIGNATURE.

FINAL DISPOSAL ACTION

FIN [redacted] NCIS (b)(6), (b)(7)(C) MAJ-TSO USMC CAMP LEJUNE
NAME (PRINTED) RANK/TITLE ORGANIZATION

PERSON(S) RECEIVING ITEM(S)/WITNESSING DESTRUCTION		
NAME	ORGANIZATION	SIGNATURE/DATE
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

MAY BE CONTINUED IN REMARKS IF NECESSARY

INDICATE IN DISPOSAL ACTION COLUMN (ON FRONT) BY NUMBER AND LETTER CODE PERSON(S) RECEIVING OR WITNESSING ACTION AND TYPE OF ACTION. RETURNED TO INDIVIDUAL OWNER (I), RETURNED TO COMMAND (C), TURNED INTO SUPPLY (S), TO ANOTHER AGENCY (A), TO NIS (N), DESTROYED (D), OTHER METHOD (M) (EXPLAIN IN REMARKS ABOVE).

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15APR98-0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 01/02 JUN 98 / see below
NAME OF PERSON FROM WHOM PROPERTY SEIZED N/A		LOCATION WHERE PROPERTY SEIZED HAS T-29, Aviano A.B., Italy	
NI TITLE I/MARFORLANT Norfolk, VA/Assistance to the Aviano M. J. Judicial Process			
ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		'Playboys Aviano (Lipa) Local Preset' roster, laminated card, seized 1309, 01 Jun 98
B	1		Blue canvas tote style bag marked "Royal Bag", szd 1310, 01 Jun 98. Includes 5 piloting handbooks, 2 maps, 1 flight crew check list, and a canvas pen holder, identified as belonging to 'KRAUT' or 'CAPT SCHWEITZER.'
C	1		One pair size 11 flight gloves, gray & green, szd 1312.
D	1		'Playboys Aviano (LIPA) Local Preset' roster, laminated card, szd 1313, 01 Jun 98.
E	1		Black vinyl look-leather bag containing 2 marked 'Secret' deck tapes, ser # 6219 and contract N00019-82-C-0004, respectively, szd 1314 01 Jun 98.

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A thru AA	02 Jun 98 1707	NCIS (b)(6), (b)(7)(C)	NAME Temporary Evidence Locker	Temporary Custody
		ORGANIZATION NCISFO Europe	ORGANIZATION Aviano Air Base, Aviano, IT	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE	
A thru AA, less E	04 Jun 98 1125	NAME Temp Evidence Locker	NCIS (b)(6), (b)(7)(C)	Packaging For Shipping (3 Boxes)
		ORGANIZATION Aviano Air Base	ORGANIZATION NCISFO Europe	
		SIGNATURE	NCIS (b)(6), (b)(7)(C)	
A thru AA, less E	05 Jun 98 1000	NCIS (b)(6), (b)(7)(C)	NAME US Postal Service	US Express Mail Shipping to CALE
		ORGANIZATION NCISFO Europe	ORGANIZATION Express Mail (3 Boxes)	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE EF536761617US EF536761603US/EF536761625US	
E	04 Jun 98 1126	NAME Temp Evidence Locker	NCIS (b)(6), (b)(7)(C)	Packaging For Shipping
		ORGANIZATION Aviano Air Base	ORGANIZATION NCISFO Europe	
		SIGNATURE	NCIS (b)(6), (b)(7)(C)	

CHAIN OF CUSTODY (Continued)

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
E only		NCIS (b)(6), (b)(7)(C)	NAME <i>US Postal Service</i>	Transfer to CALE
		ORGANIZATION <i>NCISFO Europe</i>	ORGANIZATION <i>Reg #</i>	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

REMARKS

CHAIN OF CUSTODY

FINAL DISPOSAL ACTION

FINAL DISPOSAL AUTHORITY

NAME (PRINTED)
RANK/TITLE
ORGANIZATION

PERSON(S) RECEIVING ITEM(S)/WITNESSING DESTRUCTION

NAME
ORGANIZATION
SIGNATURE/DATE

1. _____
2. _____
3. _____
4. _____

MAY BE CONTINUED IN REMARKS IF NECESSARY

INDICATE IN DISPOSAL ACTION COLUMN (ON FRONT) BY NUMBER AND LETTER CODE PERSON(S) RECEIVING OR WITNESSING ACTION AND TYPE OF ACTION. RETURNED TO INDIVIDUAL OWNER (I), RETURNED TO COMMAND (C), TURNED INTO SUPPLY (S), TO ANOTHER AGENCY (A), TO NIS (N), DESTROYED (D), OTHER METHOD (M) (EXPLAIN IN REMARKS ABOVE).

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15APR98-0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 01/02 Jun 98
NAME OF PERSON FROM WHOM PROPERTY SEIZED NA		LOCATION WHERE PROPERTY SEIZED HAS-T 29, Aviano A.B. Italy	
NI TITLE I MARFORLANT Norfolk, VA - assistance to the Aviano Mishap Judicial Process			
ITEM	QUAN- TITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
F	1		Black canvas tote style bag, s2d 1315 01Jun98, including 1 flight map, 4 related flight handbooks, one area map, assorted papers (some of which refer to minimum A&L's).
G	1		One 'Radar Altitude' gauge, s2d 1327 01Jun98, marked w/ serⁿ LLP5060 and 'Contract N00019-89-C-0547.'
H	3		Three envelopes of assorted items seized from exterior wing damage area at 1409 01Jun98. Bag 1/3 contains 11 assorted pcs of aircraft wing parts; Bag 2/3 contains 7 strands of greasy cable; Bag 3/3 contains 5 strands of similar cable.
CONTINUED ON P3			
NCIS (b)(6), (b)(7)(C)			
CHAIN OF CUSTODY			

021

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EDNA	CONTROL 15 APR 98 0023-0086-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 01/02 JUN 98
NAME OF PERSON FROM WHOM PROPERTY SEIZED N/A		LOCATION WHERE PROPERTY SEIZED HAS T-29, Aviano A B., Italy	

NI TITLE
I/MARFORANT Norfolk, VA/Airplane to the Aviano Mishap Judicial Process

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
I	1		Envelope of 8 miscellaneous pieces of aircraft seized from interior starboard wing damage at 1437, 01 Jun 98;
J	1		Envelope of 3 miscellaneous pieces of aircraft seized from damaged area of starboard pad at 1501, 01 Jun 98.
K	1		Envelope containing one philips head machine screw and corresponding piece of metal, s2d 1417, 01 Jun 98
L	1		Envelope containing nine assorted pieces of aircraft s2d at 1555, 01 Jun 98, seized from 'foot ball' of aircraft, forward damaged area.

CONTINUED ON P. 4

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

CHAIN OF CUSTODY

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 01/02 JUN 98
NAME OF PERSON FROM WHOM PROPERTY SEIZED n/a		LOCATION WHERE PROPERTY SEIZED HAS T 29 Aviano A.B. Italy	
NI TITLE I/MARFORLANT Norfolk, VA Assistance to the Aviano Mistap Judicial Process			
ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
m	1		Envelope containing small plastic bag which contains one short strand of metal cut from 'interior wing' damage area, starboard wing. Szd 1641, 01 Jun 98
N	1		Envelope containing one 'RAKS videos' videotape, marked 'Videos of SA6B mishap/iterative' 01 Jun 98 XLR. Szd 1852, 01 Jun 98
O	1		(Note: remainder of items not marked sequentially on inner wrappings only (due to order of seizure). Photographed as Item (PAI) FF, 512 2148 01 Jun 98 plastic piece marked 'ser no 2341' and 'TOP ASSY 409761-1.'
<i>continued p 5</i>			
NCIS (b)(6), (b)(7)(C)			
CHAIN OF CUSTODY			

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EU NA	CONTROL 15 APR 98-0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 01/02 JUN 98
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NAME OF PERSON FROM WHOM PROPERTY SEIZED N/A	LOCATION WHERE PROPERTY SEIZED HAS T-29 Aviano A.B. Italy
--	---

NI TITLE
I/MARFORLANT Norfolk VA Assistance to the Aviano Mishap Judicial Process

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
P	1		Photographed as item 'NN' [(PAI) NN], s2d 2158 01 Jun 98. One piece of metal marked "CONTRACT N00019m - 0125."
Q	1		PAI 'RR', s2d 2203 01 Jun 98. One electronic metal device marked "SER NO: SHY 00217."
R	1		PAI "IT", s2d 2205 01 Jun 98. One piece of metal bearing partial number "CONTRACT N00019-86..."
S	1		PAI 'VV', s2d 2208 01 Jun 98. One piece of metal bearing "SER NRQFB00055"
T	1		PAI 'XX', s2d 2211 01 Jun 98. One green colored metal piece.
U	1		PAI 'YY', s2d 2214 01 Jun 98. 2 Miscellaneous pieces; one wire w/ end connector and metal fragment bearing Ser #DQFB00022.

Continued on P. 6

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

CHAIN OF CUSTODY

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15APR98-0023+0036-7HMS	LOG NUMBER 98 0374	DATE AND TIME OF SEIZURE 01JUN98/02JUN98
NAME OF PERSON FROM WHOM PROPERTY SEIZED N/A		LOCATION WHERE PROPERTY SEIZED HAST-29, Aviano A.B., Italy	

NI TITLE ITMARFORLANT Norfolk, VA Assistance to the Aviano Missing Judicial Process			
ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
V	1		PAI 'ZZ' s2d 2216 01Jun98. One black metal box marked 'serial no. 606' and 'MSM 6492 D.'
W	1		PAI 'AAA' s2d 2226 01Jun98. One piece of aircraft skin w/ one metal wire strand attached.
X	1		PAI 'BBB' s2d 2228 01Jun98. One wire piece of metal.
Y	1		PAI 'QQQ' s2d 2256 01Jun98. Three identified aircraft pieces, respectively marked 'ser no 458' 'CONTEXT N00383-83-6-390T' and 'ser no 0820.'
Z	1		PAI 'XXX' s2d 0923, 02JUN98. One piece of aircraft wing, marked 'ASSY 128-510912-28.'
AA	1		PAI 'YYY' s2d 0927 02Jun98. One piece of aircraft wing marked 'Aircraft mod 8A6B' and 'ALA-0354-88.'

END 16R

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

CHAIN OF CUSTODY

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 - 0023 - 0036 - 7AMS	LOG NUMBER	DATE AND TIME OF SEIZURE 28 MAY 98 1515
NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED SAFETY CTR, 31 FW, AVIANO, ITALY	

NI TITLE
MARFORLANT NORFOK VA | ASSISTANCE TO THE AVIANO MISHAP JUDICIAL

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		<p>ONE MAP FOR AV047 WITH THE EA-6B ROUTE CARD, TRACK: 64 - AV047 LOW LEVEL, ON BACK IN A SEALED PLASTIC BAG</p> <p style="text-align: right; font-size: 2em; transform: rotate(-15deg);">NOTHING FOLLOWS</p>

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	28 MAY 98 1540	NCIS (b)(6), (b)(7)(C)	<small>NAME</small> TEMP EVIDENCE	TEMP CUSTODY
		<small>ORGANIZATION</small> NCISFO NAPLES	<small>ORGANIZATION</small> SAFE, AVIANO AFB, IT	
A	04 Jun 98 1235	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Packing For Transfer to CALE
		<small>ORGANIZATION</small> Aviano AFB Italy	<small>ORGANIZATION</small> NCISFO Europe	
		<small>SIGNATURE</small>	NCIS (b)(6), (b)(7)(C)	
A	05 Jun 98 1000	NCIS (b)(6), (b)(7)(C)	<small>NAME</small> US Postal	Transfer to CALE
		<small>ORGANIZATION</small> NCISFO Europe	<small>ORGANIZATION</small> Express Mail	
		NCIS (b)(6), (b)(7)(C)	<small>SIGNATURE</small> EF536761585US	
		<small>NAME</small>	<small>NAME</small>	
		<small>ORGANIZATION</small>	<small>ORGANIZATION</small>	
		<small>SIGNATURE</small>	<small>SIGNATURE</small>	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98-0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 02 JUN 98 1300
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NCIS (b)(6), (b)(7)(C)	LOCATION WHERE PROPERTY SEIZED TRENTO, ITALY
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NI TITLE
I/MARFORLANT, NOR VA / ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
(A)	1		ONE CARDBOARD BOX LABELED WITH AN ITALIAN VERBALE OF SEIZED ITEMS, WHICH CONTAINS VARIOUS ITEMS;
(B)	1		ONE CANNON SURE SHOT 105 ZOOM, SERIAL # 0725812;
(C)	1		ONE CELUPHANE ENVELOPE CONTAINING SEVEN (7) STRIPS OF NEGATIVES REPORTEDLY PROCESSED FROM THE CANNON CAMERA DISCOVERED IN THE PROWLER COCKPIT;
(D)	1		PAPER BAG LABELED WITH A VERBALE DESCRIBING THE CONTENTS AS A CARRYING BAG, A VIDEO CAMERA AND A TAPE;
(E)	1		ONE BLACK CAMERA CASE, BLACK IN COLOR, WITH A PHOENIX EMOLEM ON THE FRONT AND A VMAQ-2 DECAL ON THE BACK
(F)	1		ONE (1) CANNON ES2000 8MM VIDEO CAMCORDER, SER # 2120220546 WHICH WAS CONTAINED WITHIN THE BAG
(G)	2		TWO (2) ULTRA HIGH POWER BATTERIES WHICH WERE INSIDE CAMERA CASE;
(H)	1		ONE 3MM HIGH DENSITY DISKETTE BOX CONTAINING A SONY ANTI-STATIC HI-8 120 NTSC VIDEO TAPE CONTAINING THE NUMBERS EU46711 ;

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
ALL	03 JUN 98 1500	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer of custody for mailing to CALE
		ORGANIZATION EUFO	ORGANIZATION EUFO	
A-H	04 JUN 98 1217	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Packaging for shipping
		ORGANIZATION EUROPE NCISFO	ORGANIZATION NCISFO Europe	
A-H	04 JUN 98 1257	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer to CALE
		ORGANIZATION NCISFO Europe	ORGANIZATION NCISFO Europe	
A-H	05 JUN 98 1000	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer to CALE
		ORGANIZATION NCISFO Europe	ORGANIZATION Express Mail	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE EF536761585US	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 - 0023 - 0036 - 7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 02 JUN 98 - 1300
NAME OF PERSON FROM WHOM PROPERTY SEIZED NCIS (b)(6), (b)(7)(C)		LOCATION WHERE PROPERTY SEIZED TRENTO, ITALY	
TITLE I/MARFORLANT, NORVA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS			
ITEM A	QUANTITY 1	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE. TDK, HS, VHS TAPE which reportedly contains video footage taken by Italian authorities on 04 Feb 98.

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	03 JUN 98 1500	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer of custody for mailings to CALE
		ORGANIZATION EUFC	ORGANIZATION EUFC / Temp	
A	04 JUN 98 1253	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Packaging for shipping
		ORGANIZATION Aviano	ORGANIZATION NCISFO Europe	
		SIGNATURE	NCIS (b)(6), (b)(7)(C)	
A	05 JUN 98 1000	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer to CALE
		ORGANIZATION NCISFO Europe	NAME U.S. POSTAL	
		NCIS (b)(6), (b)(7)(C)	ORGANIZATION EXPRESS MAIL	
		SIGNATURE	EF536761585US	
		NAME		
		ORGANIZATION		
		SIGNATURE		

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE	CONTROL 15 APR 98 - 0023 - 0036 - 7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 03 JUN 98, 1730
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NAME OF PERSON FROM WHOM PROPERTY SEIZED N/A	LOCATION WHERE PROPERTY SEIZED AVIANO AFB, RADAR CONTROL OFFICE
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NI TITLE
I/INHAIRFOULANT NORFOLK, VA/ASSISTANCE TO THE AVIANO MICHAP JUDICIAL PROCESS

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		TDK DSX-90 AUDIO CASSETTE TAPE LABELED RECORDING OF CONTROL TOWER TAPES 03 FEB 98 EASY-01 MADE ON 03 JUN 98 AND BEARING THE INITIALS DAR.
B	1		TDK DSX-90 AUDIO CASSETTE TAPE LABELED RECORDING OF RADAR TAPE 03 FEB 98 EASY-01 MADE ON 03 JUN 98 AND BEARING THE INITIALS DAR.

AND NO OTHERS

NAME AND SIGNATURE OF WITNESS (IF AVAILABLE) NCIS (b)(6), (b)(7)(C)

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A B	03 Jun 98 1748	NCIS (b)(6), (b)(7)(C)	NAME Temp Evidence	Temp Evidence Custody @ Aviano
		ORGANIZATION NCISFO Ewore	ORGANIZATION Evidence	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE	
A B	04 Jun 98 1230	NAME Temp Evidence	NCIS (b)(6), (b)(7)(C)	Packaging for Shipping
		ORGANIZATION Aviano	ORGANIZATION NCISFO Ewore	
		SIGNATURE	NCIS (b)(6), (b)(7)(C)	
A B	05 Jun 98 1000	NCIS (b)(6), (b)(7)(C)	NAME U.S. POSTAL	Transfer to CALE
		ORGANIZATION NCISFO Ewore	ORGANIZATION EXPIRES MAIL	
		NCIS (b)(6), (b)(7)(C)	SIGNATURE EF 536761585US	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUNA	CONTROL 15 APR 98 0023-0036-7HMS	LOG NUMBER	DATE AND TIME OF SEIZURE 02 JUN 98 1300
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NCIS (b)(6), (b)(7)(C)	LOCATION WHERE PROPERTY SEIZED TRENTO, ITALY
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MI TITLE
I/MARFORLANT NORVA / ASSISTANCE to The Aviano Mishap Judicial Process

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		<p>CD ROM Disc which reportedly contains autopsy photographs and reports from captured case.</p> <div style="border: 1px solid black; height: 150px; width: 100%; position: relative;"> (NFI) </div>

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	03 JUN 98 1500	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer of Evidence for mailing to CALE Temp Evidence
		<small>ORGANIZATION</small> EUFO 1711	<small>ORGANIZATION</small> EUFO (Temp Evidence)	
A	04 JUN 98 1233	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Packaging for Shipping
		<small>ORGANIZATION</small> Aviano	<small>ORGANIZATION</small> NCISFO Europe	
		<small>SIGNATURE</small>	<small>SIGNATURE</small> NCIS (b)(6), (b)(7)(C)	
A	05 JUN 98 1000	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	Transfer to CALE
		<small>ORGANIZATION</small> NCISFO Europe	<small>ORGANIZATION</small> US Postal Express Mail	
		<small>SIGNATURE</small> NCIS (b)(6), (b)(7)(C)	<small>SIGNATURE</small> EF536761585US	
		<small>NAME</small> 	<small>NAME</small> 	
		<small>ORGANIZATION</small>	<small>ORGANIZATION</small>	
		<small>SIGNATURE</small>	<small>SIGNATURE</small>	

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE EUJA	CONTROL 15 APR 98-0023-0036-74MS	LOG NUMBER	DATE AND TIME OF SEIZURE 03 JUN 98 0100
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NCIS (b)(6), (b)(7)(C)	LOCATION WHERE PROPERTY SEIZED ROUTE 48 SECURED WAREHOUSE, AVALON, NJ
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NI TITLE
I/MARFORANT, NOR VA/ASSISTANCE TO THE AVIANO MISHAP JUDICIAL PROCESS

ITEM	QUANTITY	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE.
A	1		ASSORTED GONDOLA PIECES
B	1		ASSORTED GONDOLA CABLES AND ATTACHMENTS
<p style="font-size: 2em; opacity: 0.5;">NOTHING FOLLOWS</p>			

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

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A + B	03 JUN 98 0810	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	FOR TRANSPORTATION PURPOSES
		ORGANIZATION NCISEU NAPLES	ORGANIZATION LINE AVIANO TRANSPORTATION	
A + B	03 JUN 98 1710	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	FOR TEMP CUSTODY AT AVIANO
		ORGANIZATION LINE AVIANO TRANSPORTATION	ORGANIZATION NCIS	
A + B + B	04 JUN 98 1036	NCIS (b)(6), (b)(7)(C)	NCIS (b)(6), (b)(7)(C)	For turnover for packing, crating & transportation from Aviano.
		ORGANIZATION NCIS	ORGANIZATION 31 Trans, Aviano, AB	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

EVIDENCE CUSTODY
DOCUMENTS

