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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION [REDACTED]	2. DATE (YYYYMMDD) 2015/03/20	3. TIME 1600	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

IO: Please state your name, rank, unit of assignment, and duty position,

WIT: [REDACTED], I am assigned to [REDACTED]

IO: Duty position?

WIT: On the unit side I am a [REDACTED]

IO: Facility side?

WIT: I am a [REDACTED]

IO: What MOS is that?

WIT: It is built off of the 15D with a NDT identifier.

IO: We would like you to take a few minutes and relax, and I want you to go from the beginning, I don't know when exactly you got involved in this mission, since I know there was some stuff last week, and then there was some stuff that started Sunday, but I would like you to take us from the beginning, exactly what you all did and where you all went, and so forth, all the way up till you all realized that the aircraft was missing.

WIT: I was on the first iteration of training, but I can shift focus to the day of the mission if that is what you want.

IO: I would like you to start from the first iteration if you were on the first iteration go ahead and start there and what you all did when you went down there as far as training.

WIT: We departed Hammond for Destin airport on Thursday, I believe that was the 5th of March, and we were going to do an INFIL and an EXFIL with one small MARSOC group composed of about four personnel, and this was a TOT (Time on Target) objective, we arrived on the 5th and briefed with the MARSOC personnel at [REDACTED] at approximately 1400, and that briefing lasted till around 1930-2000, we discussed their primary objective, the aircraft side as far as how we were configured, and a basic time line, but I can not speak too much more in depth about any of that, because of being a crewmen we were not up in the front doing the planning, we were at the back of the briefing room with [REDACTED].

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 12 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

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9. STATEMENT (Continued)

WIT: loading our card on the AMPS computer, that was Thursday, and the mission was conducted just after mid-day on Friday the 6th. It was a afternoon/evening mission, being that there was a day portion, and the night portion assisted with the use of night vision goggles, we dropped the personnel on Camp Shelby, we then left that area and went to the airport at [REDACTED] for fuel, and to wait for our radio call to go and pick the personnel back up from the objective under night vision goggles, most of the training operation was notational, as in the support aircraft, and some of their threat the Opfor, were just calls made on the radio, as opposed to the aircraft portion and the MARSOC personnel, and ours was real world. We got the call and we went out to the flight line, and everyone got into the night configuration, as in battery packs and night vision goggles, we picked up from the airport and we went to what they call a holding area to loiter, and when given the call that all the personnel were ready for pickup, we went a picked the personnel up and departed, we departed under tactical configuration, as in our lighting, and when we cleared the Camp Shelby airspace we went back into traditional night, with our anti-collision and position lights, and resumed the flight from that leg, and back to dropping them off at Destin, they accompanied us all the way back to Destin airport in a traditional configuration as if it was just another night flight, the crew members stayed with NVGs, and then the ground personnel were picked up via ground transportation at Destin Airport, and we terminated the mission from that point. The next day we got up, and we daily-ed our aircraft, which this was Saturday morning, and returned to [REDACTED] at approximately 1200, and we were mission complete at that point. The second portion, we had a 0700 show time on Sunday, we got up, and we all met up at the unit, and we all went to our respective formations for our companies, after the formations we were given our tail numbers, [REDACTED] and myself were on the first iteration and then also on the second iteration, we were given a different aircraft, we had tail number 569, we made sure that it was configured properly, as in we had to remove the troop seats for this particular mission, so we had to make sure they were removed and tagged, and also that the appropriate weight and balance entries were made into the laptop prior to the movement. We were delayed for a little while due to weather, I think that our tentative departure time of 0800 was pushed back to somewhere between 0930 and 1000. After we had satisfactory weather we departed Hammond, en-route to the the Destin Airport, we arrived at the Destin Airport at probably around 1130, and we put the aircraft to bed, as in we plugged them, we brought our own chains and locks for mooring, we moored and secured the aircraft with the pads, all the plugs and the blade tie-downs. We already had the rental vehicles pre-positioned at the airport, so we went had some lunch, our hard time for that particular day was to be at the pad [REDACTED], the training area with the MARSOC personnel at approximately 1600, so that gave a little bit of time for us to get some meals, and to ground our gear at the hotel, and then be back with the aircraft to go an conduct movement as two ships to the pad to do static training, as in laying out the different configurations in the aircraft to make sure that we could properly secure their training equipment to proceed with the mission, that was the events of Sunday. Please forgive me if my hard time are a little off, the only events that are really burned into my mind are the ones on the 10th. The next day, this is Monday, we met up at approximately 1100 in the lobby, we were going to Destin Airport, which is approximately a 10-15 minute ride, to uncover the aircraft, to conduct PMDs, enter flights and secure the cabin for open door operations, as in we remove sound proofing, and secure anything that was loose, or anything that wouldn't be able to be readily secured, into the cargo netting withing the aft cabin section, affectionately known as the "Hell Hole", area. With open door operations anything can fairly easily separate its self from the aircraft and possibly cause damage to the aircraft, and anyone on the ground, so our hard time was probably around 1400 to be at the [REDACTED] pad, it was approximately a 5-10 minute ride via the coastline, we sat down there, and we began to do preparations to do the first training of the day which was SPIES, which I can not think of what the acronym stands for at this point, but there is a lifting harness apparatus that goes through the cabin floor underneath the cabin and secures through the cargo hook, and then the rope extends down, and it is secured in the aircraft in six different places, and the gentlemen line up to the left of the aircraft, and when they signal that they are all read they will put their left hands up over their shoulder, and the rope assembly is up on their shoulder and they are holding it in place, this also signals that they are ready to go, and upon everyone being ready to go, the aircraft picks up into a hover, there is a, our equivalent of a load master, on board of the aircraft he is up on inner cockpit communications with the crew, we take all commands from him, and at that point point the pilots are listing directly to him as far as, to pick up, to not pick up, faster, slower and things of that nature, and the crew chiefs myself, and my other crew chief we just go in to airspace surveillance, and general duties such as monitoring gauges, and also monitoring him, he is tethered in but it case he were to fall and/or incapacitate himself, that really our our duties were there. [REDACTED] aircraft [REDACTED] they conducted two iterations first they shut down for about 20 minutes to our [REDACTED], then we did two dry iterations as well, then we were the first to proceed for the over water, the wet iterations, we did those, and we returned back, and this was all probably about two hours later, so probably around 1600, we took a short break then we loaded their zodiac, their little boat, into the aircraft. We didn't have what they call the FRIES bar, again I apologize but at this moment I cannot remember what the full acronym stands for, it is basically a rigging bar that insures that their boat is rigged properly within the cabin area of the UH-60, we used the rings that come in the air assault kit, and we rigged it a couple different ways just to make sure that: A it want going to fall loose of the aircraft, and that also while the

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STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

vessel was clearing the aircraft that it wasn't going to damage the cabin floor or the lower door track, so the fix that we came up with was that we partially inflated the boat, to raise the transom area, and the forward lower side of the engine just in from the propeller. We came up with what we figured to be a satisfactory load, it was rigged through two loops, and the engine was also rigged to, there is a d-ring in the upper aft side of the cargo door, to give it extra stability, although I know that they did, I inspected this load to make sure that it wouldn't sift around if we were given some kind of unusual attitude, or some kind of lateral movement, and everything seemed to be good to go, and we went forewarned and conducted our water operations, we did two day iterations, and we also did two night iterations. That is pretty much all that we did on Monday, we were finished with the crew and cleared to return probably around 2000 or 2030, we conducted movement back as two ships back to Destin airport, we put the aircraft to bed for the evening, the chains, the blade ropes, and the plugs, then we moved back to the hotel via the rental cars. We probably got back to the hotel around 2130, and a bunch of us met downstairs because the hotel restaurant closed at 2200, and we wanted to just have a meal, and we were absolutely exhausted from being beat up by the sun, the wind, and the salt water, from doing all the over water operations, and most of us had dinner together at probably around 2200, they allowed the dinning area to stay open although the kitchen had closed, we moved up and we went to bed. We met the next day March 10th in the lobby at approximately 1430, and conducted movement via ground to Destin Airport, we conducted maintenance, we entered our flights, and our objective was to be back on pad [REDACTED] for 1600, and we departed as two ships, and we landed on the pad at [REDACTED] was doing the ladder operations, because of time and equipment we did not take part in that, they did two iterations over land then they did two iterations over water, then they returned and shut down. There was a conflict in the airspace, I believe it to be the AC130s had a nearby range booked for operations, and we were not authorized to proceed with any of our stuff, until they were clear of the airspace, which was probably at about 1900, so we stayed there at the compound with the MARSOC guys, they barbequed, we ate with them, and we talked over the mission with them, and at approximately 1900 we moved down to the aircraft with those personnel, and we double checked our rigs, we double checked our equipment, and our cabin configured for the night operations, meaning that chocks, sound proofing, and everything that could have blown away was secured, and nothing had changed with the boat, the boat was still secure. The weather had gone down considerably since the day portion of our operations, so the pilots decide to pull METARs(meteorological aviation report), which you could say that to be localized weather from three different airports in the area, I believe that to be Hurlburt, Egin, and Pensacola regional, that was going to give us an idea as to what they were seeing the areas, we also had call sign [REDACTED] that was the Marine ground personnel, he was out point of contact with the radio, he had also pulled current weather, with all of this and getting configured and getting the personnel out to the aircraft and getting them harnessed in. At about 1930, [REDACTED] and myself went to [REDACTED] and did one last weather briefing with the crew of [REDACTED], we discussed the three METARs, the weather that we had, and they put together a list of five different airports, if visibility deteriorated we had a plan to go up, and this is my fault I cant remember if it was Eglin approach or Pensacola approach because of the location of [REDACTED], but in the instance that we had to go inadvertent IMC we had a plan to go up and call approach, and we had five different airport that had some kind of precision recovery, meaning that they had equipment on the airfield that had the ability to get our aircraft and personnel safely via instrumentation. We had that in place we had METARs and we had five different airports, and we also what you could call a safety azimuth, of which if we get completely disorientated, we can turn to heading 180, which is due south, that would take us across the beach and over the water where there are no obstacles to orientate ourselves back to where the pad was, our crew had also dropped what you would call a breadcrumb, or a target store, that gave us a lat, and a long of the pad that we were staging our operations off of. Our briefing took about 10 minutes so about 1940-1945 we walked back to our aircraft, I got my NVGs configured and we went up on battery, and then subsequently auxiliary power, we began doing our pre-flight checks, all of our power on check, all of our communication checks, and at this point the weather was still what we observed about 30-45 minutes prior from departing the building. [REDACTED] our other pilot of our [REDACTED], he wanted to know if everybody was still comfortable with what we were seeing, and at that time because of the haze, I had folded my night vision goggles down, and with my night vision goggles down I could see that the large observation tower that was approximately 2.5 miles due east of our position, that and a water tower, and the aircraft was facing about due east at this point, and to the aircraft's 9 o'clock position or north was a water tower, between 10 and 11 o'clock at about 100 yards or so, was a warehouse with a floodlight on top, and we knew that just beyond that was a road and telephone poles. In my mind I had visual on the obstacles that would be an issue for us if the conditions worsened once we departed, and everybody in the crew had verified that they had visibility on all of those obstructions, and I felt that I was comfortable with proceeding, because that I knew that what we had we were capable of it, so I felt good with it, and as did all the other members of the crew. At this point we are at 2000 and we are running up, as in we are ready to take off just not conducting movements, all the personnel loaded, we gave the call that we were going to secure all of our wing cords and hop in the aircraft and get buckled in, this is 2000 just prior to moment, and [REDACTED] was facing the

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WIT: opposite direction from us, and they were probably 60-70 feet away on the pad, and they had to pick up and make a in place pedal turn, as in they rotated the tail 180 degrees to be facing our parallel direction, the direction of take off, and after executing that pedal turn they landed and they taxied slightly in front of us, putting us at a number 2 position, they were probably at our 11 o'clock. We were redcon 1, as in we were configured to leave, and event ahead and departed as a flight of two, height wise upon clearing the warehouse and the pad, we took a left turn probably 11 o'clock which would have put us flying in a north-easterly direction, and no more then 2-3 minutes of us departing the pad the visibility started to deteriorate rapidly, I have barely 400 hours, and in my experience that was the fastest that I have ever seen visibility deteriorate, and we quickly lost sight of the other aircraft, so we slowed down to give some spacing, and I cant remember who initiated the call but I think, Chalk [REDACTED] says, I am going to shine my search light, hey we have you you look to be 5 or 6 disks at about 10 to 11 o'clock, and they turned theirs off, we turned ours on, and, hey do you have us? And they said, "we have you", so we had visual separation of one another. Being to the right of the aircraft all I could do was to lookout in the distance and track that tower, a few moments after we had established the positions of the two aircraft is when the visibility had really started to deteriorate, at that particular point airspace surveillance was completely over with, I looked down and I had visibility on the ground, I made a call over ICS, sir, I have the ground, and the pilot just ahead of me, [REDACTED] said that he had it also, and [REDACTED] was like, "I have the road and I have the wires", because that was the next obstacle on the left side of the aircraft, and [REDACTED] aid that he had them also, "come up", so we came up to this point to probably 74 feet, which would have given us probably would have given us 20-30 feet of clearance, and we continued to move very slowly north-easterly towards the water. Once we crossed the power lines we were probably within 100 yards from the shoreline, and it wasn't log after we crossed them, that I had visibility of them, and I called, clear of the wires, clear of the road, and we proceeded north-easterly, and at that particular point chalk 1 had gone over the water, and they made a radio call saying, "hey, visibility is really poor, and I think that we are going to climb up", and [REDACTED] then transferred the controls to [REDACTED] who was seated on the right side of the aircraft, he and I could still see the ground, [REDACTED] and them could still see the ground but more of the water, over the water was really were the visibility was so poor, [REDACTED] with positive control of the aircraft did what is called a hover plunge, we were going so slowly that the aircraft did not move forward much longer and then we picked up a hover, and they were like this is really bad, were climbing up, as in they were going to go up and contact approach, and at that particular point.

IO: Who said that? Your aircraft said they were climbing up or [REDACTED]?

WIT: After we did the hover plunge, [REDACTED] came over the radio again, and said, "This is bad we cant see anything, we are going up", I couldn't see them I was on the right side of the aircraft, [REDACTED] the crew chief on the left side said, "I see them climbing", and the other pilots verified that they saw him, [REDACTED] initiate a climb, around that point that they made the decision to commit. The [REDACTED] element was at this time in the water where we were supposed to have the droppers, said that we were not cleared to drop the personnel in the water, and to RTB, at this point we were still at a hover over land, and I looked back at the load master who was on comms, and just verified that he heard me, and he shouted and did hand signals to his crew that we were not authorized to drop and that we were going to return to base. I pulled my pins, as in my radio pins, because the squelch off of his radio made it hard to hear the other people in my crew, as to how we were going to move the aircraft. That was the last I heard from the [REDACTED] element. The left side said that the aircraft tail was clear, and I had the wire, and I had the roads, and we then conducted a pedal turn, a lateral turn to the right, and [REDACTED] brought up the lat, and long of our pad, and we then slowly made the trip back over land, back to our pad. We cleared the power lines, and left side now had the tower that I was looking at on the way there, and then after a few moments I began to pick up the floodlights on the warehouse, and the light on the water tower, it was maybe not even a minute after that the pad came into sight, and we instructed them to hold altitude and to continue forward, and then [REDACTED] had the pad in sight, we then conducted another right turn over the pad, we went to the southwest side of the pad and landed in the corner to give [REDACTED] room, even though we were under the impression, that they were going up to approach to land somewhere else, we still landed on the southwest side of the pad, I guess if they found where they were, and they were coming back we tried to leave them as much room as we could, and all of this happened within the scope of probably 20-25 minutes, we set back down on the pad, and the mood was of relief, hey we are back we got these guys back, and the pilots initiated a radio call to aircraft [REDACTED] crew. We repositioned the aircraft and landed at the southwest corner of the pad, to insure ample room for the [REDACTED] element had they been able to see where they were and move back to the pad, instead of going up with approach and landing at a different airport, and we landed and before shutting down completely as on auxiliary power, the pilots initiated a radio call, and not getting anything; we felt at the time because of us being on the ground we were not high enough to get radio control with them, and it is also felt that when a lot of times when things are going on,

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WIT: the aircraft that is committing will stop all other communications with other non-essentials, as in they are going to aviate, navigate and communicate, they are going to right the aircraft, they are going to focus to talking to approach, as in the controlling entity that is going to vector them into an airport, and that they were going to make a radio call to us after, we then shut the aircraft down, and got the personnel off of the aircraft, and after shut down, and one of the pilots, I'm sorry I cant remember, said, " Hey why don't you send the crew chiefs a text message", so I sent a text message to Tom Florich, and Lance Bergeron, it was like, hey is everything ok? Not expecting anything, just really short and really sweet. Negative contact after 5 minutes or so, they were like, well lets get away from the aircraft, lets get back up the hill, and lets see if we can get in contact with the [REDACTED], the element that was in the water and now moving back to our little marshaling area, and then also to see if any of the MARSOC guys that were on our team had made contact with the other team. At this point we were shut down, I sent my first text message to Tom Florich at 2029, "You ok", no response, and I sent a text message right after that Lance," You, ok? cant get you on the radio".

IO: Those were both at 2029?

WIT: 2029, and 2030, we then walked up to the little warehouse for the MARSOC guys to see if their personnel had contacted any of their personnel. About 20-25 minutes into it, we started to realize that something probably wasn't right, so we went back, we as in [REDACTED], [REDACTED], and myself, and one of their captains, [REDACTED] and we went to the aircraft, got on the auxiliary power unit and tried to make more radio calls, and we couldn't get anything, however we made a relay call on guard, there happened to be a commercial plane or something in the area, they relayed for us, negative contact with [REDACTED]. So we shut down, and everybody started that like something wasn't right, so we walked back up the hill to where the MARSOC warehouse was, and I started to look up numbers for [REDACTED], we were going to call airports, and flight services to see if, hey did these guys check in with you? This all took about 30 minutes making calls to different airports, because at 2106, I sent another text message to Lance, and no response, [REDACTED] had been calling their phones and their phones we going directly to voicemail, that was kinda of unsettling for all of us. I then started calling Tom, and I started calling Lance, and at 2212 I sent a message to Mr. Griffin, obviously no response, then the last message was at 2144 I texted Tom again with no response. It after that, that we, forgive me I don't remember who [REDACTED] called, maybe [REDACTED], but I wasn't with him at that time, but we made contact with the unit to tell them that we had negative contact with [REDACTED], and that the MARSOC guys couldn't get a hold of their teammates, and that flight services had no contact with them. It was at that point that the MARSOC guys were like, " Help us build a boat", so we inflated on of their little zodiac boats, and we helped them put a motor on it, we loaded it on a trailer, and they drove their truck to the water, and they got in the sound, they were going to look around. At that point we were just kinda of standing around, not really sure of what to do, this was at 2200, I don't remember much until 0200, around 0200 they said that they were moving the command post from just east of our position to just west of our position, which was near the fire house on that little training area, because they had found fuel and some debris in the water by the [REDACTED]. Around 0200 they said that they were going to start bringing things on shore, they assured it us it wasn't going to be personnel, because at that point you couldn't really delineate if that was ours or if it was something else, the first pieces of the aircraft came up, and they were small, maybe 8x8 inches, they were just chunks of honeycomb, like composite structuring, it could have been anything, but a little bit after that they said that they had a slightly larger piece, and that it was rectangular with a little bit of curve to it, and they brought it on shore, and it was an engine cowling that had our unit logo, Mr. MOJO on it, that was when we realized that they were not at an airport somewhere. Around that time we say [REDACTED] for the last time, and we just kept apologizing, and they just kept saying that there was nothing to apologize for. They made us form there, because more parts were going to be coming on shore, so we went to the little MARSOC building, and just waited around there, and around that time our battalion [REDACTED] spoke to the four of us on speaker phone, and said that they were sending people from the isolation facility at Hurlburt to come and get us, so we just waited at the building, so probably around and hour, hour and a half, so this was probably around 0400-0430 they came and picked us up, and then they took us to the hotel briefly to just get overnight stuff and a change of clothes, and then they took us to the isolation facility, or ISOFAC at Hurlburt, and we spent probably 24 hours there, and then they took us back to our hotel after we had the opportunity to speak with chaplains and all the other stuff. This is a little off subject, but everybody over there at that facility was out of control, to have an O5 offer to make your bed, those people are just above and beyond what you could expect for a response, as opposed to people just checking off blocks on a list. I think we are up to the 12th now, they day after we were able to spend the night in our hotel room, just to be away from everybody, with the understanding that we would be moving form Destin back to Hammond. We ended up back in Hammond and that is pretty much it.

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9. STATEMENT (Continued)

IO: That was good, that was a lot of information for us, we did write down questions some specific thing that we will ask you. When did you first get word of the mission? Have you been on these types of missions before, I know that they have done one before in the past, or is this the first one that you were doing training with?

WIT: I have only been a crew chief, May will be my third year, we have done multi-ships, under night vision goggles, we have done the notational INFIL/EXFILS, and we did an actual INFIL/EXFIL a few drills ago with a battalion in the brigade.

IO: Have you worked with the MARSOC guys? I know that they did a mission with MARSOC before, is this your first one?

WIT: No, sir, I did at [REDACTED] the INFIL/EXFIL with them that exercise in southeastern Louisiana, and southwestern Mississippi, around the Stennis area, I did that. I did the first iteration earlier during the previous week leading to this the INFIL/EXFIL and then the missions with them leading up to the accident.

IO: Was there somebody in charge? Like was there an AMC, because you did not have a commissioned type Lieutenant or above, who was the AMC for the mission?

WIT: I would probably have to say Mr. Griffin. He and [REDACTED] they did all the briefing and the SOP stuff with them the first week, they talked about our tactical SOP, how we should use it as much as we could, because of our MTO mirrors task force, because we have so many pilots and crews that had worked with task force in theater, both in Iraq and our guys in Afghanistan. They had a reference publication, I just can't think of the name of it, that we based the performance data off of, the only thing that we didn't really have some kind of publication to go off of was the rigging, as in they used that FRIES bar system, we were using the rings, that was why everybody was really scrutinizing how that thing was moored, how they were going to belay it down to make sure that once the line cleared the rings it wasn't going to go up into the rotor system, they were scrutinizing how we were doing this stuff to make sure that it wasn't going to shift in flight, and things like that.

IO: Before you all left to go to Florida, to do the training, did you guys do briefing prior to leaving, and then briefings when you got to Florida? concerning the mission.

WIT: Information was not really forthcoming, from whomever was giving the time line, I did not get the time line for departing on the 5th, until probably Tuesday of that week. We had a crew, we had a tail, the guy said, "Hey look we are going out to work with MARSOC, we are going to brief with them at 1600", so it was kinda like, ok this is just going to be a standard flight up until then. Then when we got with them they hashed out their exercise, and then we knew this is where we are going to be, how many people we are going to move, how much time we had to get there, because it was a time on target evaluation, because it was only four personnel and they were not even in all of their kit. They briefed us up on that, that we were going to have a stay, and get fuel, and then goggle up, and then we were going to loiter in that holding area until they called us, and then we were going to pick it up as a standard INFIL, it was pretty much standard INFIL/EXFIL, just day iteration and NVG iteration.

IO: When you all did work with two ships, I guess starting on the 8th, 9th, and 10th, was there a formal mission brief conducted? Or was that also more like what you described once you got to the training?

WIT: They were all scenario driven, we covered a lot of things the first day with them during the static training, as far as, this is how they signal that they are ready, and they call him a CAST, I just can't recall what that stands for, so I have just been calling him like the load master, how he was going to give the crew, slow your decent, and things like that. Every day we were given what we were going to do, it was kinda where we had a brief, an a and b.

IO: Who did the patch brief? Did you do the patch brief? Did the pilots do the patch brief? For the Marines, because I imagine for some of them it was their first time on a blackhawk.

WIT: The pilots did. I did the brief the first trip, because they were using our seating, and for the second one it was a group deal, because they had their harness system installed in our cabin floor, and that is their system with their quick releases, so that was just a basic brief, on how to secure themselves and how to secure the little water craft.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 6 OF 12 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

IO: So you all didn't have flight packs, or any kneeboard type sheets? Frequencies, and information.

WIT: I don't want to speak for them.

IO: Did you, just for you?

WIT: No, sir.

IO: If you anything like that, I was probably just going to ask for it so that we had a little more information.

WIT: No just basic stuff, cut the foam out, the log book and binder secured with us, everything else was secured in the cargo net.

IO: So you had the log book and binder with you up front for that aircraft?

WIT: Yes, Sir.

IO: So you mentioned weather, you said that the pilots noticed that the weather was getting bad, so that they called to get METARS at a few different airports, they called? Or did they look it up on a phone?

WIT: We had an Ipad with us.

IO: Do you know what they said about the weather, when they pulled it up? I don't know if you were there when they were pulling it up, or if they just said it was good.

WIT: They did, I just not really that familiar, apparently there is visibility but, vertical visibility, but I don't know.

IO: What about the illumination that night, as far as the NVGs? Did you have moon angle, or moon illumination? Do you remember if that was briefed, or if you noticed, or if you looked up what it was?

WIT: With the fog that rolled in over us sir, I can't remember.

IO: Did you feel like you were pressured into flying this mission?

WIT: No, sir, both pilots asked everybody. He said, "are you sure?", I said, I have our obstacles sir, if you all are ok with the weather.

IO: Were you comfortable with the crew selection?

WIT: Absolutely, I would follow those guys in to hell.

IO: You said that you had your aircraft's log book with you?

WIT: Yes, Sir.

IO: What about [REDACTED]? Theirs was not with the aircraft correct?

WIT: Yes, sir, I heard that like a few days ago.

IO: Do you have idea why that was? Did any of the other crew talk to you about that at all?

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

WIT: Mr. Strothers, the pilot in the other aircraft, I guess that he was new to our battalion, he asked me the first day that we got there and we were logging our flights from Hammond to Destin he was like, "I asked PC if they could put me in the database, and they didn't put me in the database", I was PC guy for a little while, I said that I can't do it, I can't put you in at the laptop, it has to be done in the database, and then as the laptops migrate they pick up all the changes that are made. I know that was something that I discussed with Lance, because they were talking about signing off PMDs, and the flights, because every time you log in you make a packet, and after the logbook gets so many packets in it ULLS-A doesn't want to work properly, and it doesn't want to load up, and you start getting all kind of failures. Maybe that was why they didn't have it, I know that he had a paper log, because they were asking us times, and we were comparing our times.

IO: Do you know where they left the laptop for [REDACTED]

WIT: I think I was told it was in their vehicle, with plugs and ropes, I think it was in their vehicle.

IO: Do you know, outside of PMDs, was there any other maintenance conduct on [REDACTED]? did they find any faults or issues that you know of?

WIT: No, sir.

IO: Nothing outside of the normal?

WIT: Just pulling cowlings, intermediate gearbox, and tail rotor gearbox are probably the most intense, because with most other things you can just open up something and latch it back, you have to physically take those off in a PMD, that was really just the depth of our maintenance.

IO: Who was the technical inspector for this mission?

WIT: Our IP's are on TI orders.

IO: At any point did you hear the crew of [REDACTED], just in conversations, did they ever bring up any maintenance issues that they had had, say from the time you left Hammond on the 8th, till the time of the incident, did they mention anything at all? Any avionics issues?

WIT: No sir, we had [REDACTED] that first time, and we had a com 2 or com 3 failure, we had to do a Sikorsky reboot, as far as we know that was the only one because no one else had ever mentioned it, and that the morning of the 5th when we were departing for the first iteration. I have that in a text message, I think our maintenance officer wanted to compile a list, so I texted my supervisor to let him know, because we were not coming back right then, hey if he has got that list going, [REDACTED] required a Sikorsky reboot.

IO: You did the Sikorsky reboot, and it worked fine after that?

WIT: Yes, sir.

IO: You guys normally conducted your PMDs before you flew?

WIT: Yes, sir because of the time of night.

IO: Who did the PMDs on [REDACTED] was it just those two crew members? or did you guys mix and match?

WIT: No sir, we tried to keep crew integrity as much as possible because of inputting the PIDs, the paper days it wasn't that bad, but to go in and, [REDACTED] and I did that, alright KD... I don't have that and the searching, we tried to keep crew integrity as much as possible.

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 8 OF 12 PAGES

APD PE v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

IO: Do you know if any tools were utilized on [REDACTED] after departure? Like in order to remove the cowlings? Did they use screwdrivers?

WIT: Yes, sire we had a toolkit.

IO: Was it an Army issue tool box?

WIT: Yes sir, the green deal, not the good ones, but [REDACTED] or whomever makes it now, the green box the lid lifts and has the four drawers, I think that is standard for the unit now.

IO: Did each aircraft have a tool box on board?

WIT: No sir, I sub-hand receipted one on a 2062, and we had that for the lot.

IO: What kind of expendables did you guys use on the aircraft? Like alcohol, or window cleaner?

WIT: We had window cleaner, we only had one can of window cleaner, but each kit bag had a ring of shop towels, we brought oil, and hydraulic fluid.

IO: Typical fly away kit.

WIT: If we wouldn't have brought it we would have needed it, so we were like, we are going to put three or four cans and a thing of shop towels, I don't want to be that guy.

IO: Do you know after each maintenance action when you used this stuff, what kind of inventory did you guys do?

WIT: Luckily for use we didn't need fluids, we used shop towels and window cleaner, and we just threw it away, they had a garbage can right there on the flight line when you go in the FBO. Then just the basic toolbox inventory, because I did not have an leathermen, and I was using the screwdrivers, and we used the ratchet extension and socket set to install the rings in the roof for the rigging.

IO: Somebody else mentioned, and you are the first one that I have heard say that, when they interviewed the safety boat drivers, LOKI, they had said they had made a call, so you heard him make that call?

WIT: Yes, sir.

IO: Do you think that was made after [REDACTED] said that he was going inadvertent IMC? Can you remember if it was made before or after?

WIT: It was slightly before, he made a call that was something to the effect of, we can't really see, kind of inferring that it was worse over the water, which was what we had observed.

IO: That was [REDACTED] saying that?

WIT: Yes sir, and then in between his second to last call, that is when [REDACTED] called, and said like, "attention [REDACTED]", because when you can see them they are parallel when you are authorized to drop, and they will turn one parallel one perpendicular when you are not authorized, he came on the radio because of visibility, and he said something to the effect of, "visibility is poor, aircraft are not authorized to drop". Then I looked back at the CAST, and said, did you copy that?, he was like RTB? I was like, not authorized to drop RTB, and everything that he would hear, he would hand signal and yell to the crew members in the back. The way that I remember it, it was, we can't see, your not authorized to drop, then, we are climbing up.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 9 OF 12 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

IO: Do you know what AR 40-8 is? Do you feel like everybody was in compliance with AR 40-8?

WIT: Yes sir, like I said, we got the you-know-what beat out of us the day before, because of the over water stuff, being in the sun all day over, and the salt water, we knew those things were going to need a heck of a bath afterwards, because it was just everywhere, it was in the lining of the face shields. We got back to the hotel about 30 minutes before the kitchen closed, and at that point everybody was like, I just want a shower, and something to eat.

IO: Anything else?

WIT: Tom and a couple of the guys had beat me downstairs out of the shower, because he sent me a text message at probably 10 till 10, and he was like, "What do you want to eat? I'll put your order in because they are shut down at 11", although they knew we were Joes, they let us sit down there and finish our meals. 2132 he screenshot me their menu.

IO: This was on Monday 9 March?

WIT: Yes sir, at 2130 he was like, I can order you something and I picked something off of the thing, at 2135 I showered, so I probably got there around 2145, and not all of us, but most of us ate dinner together and just wanted to go, it was a rough and long day.

IO: The last think that we are wanting you to do and if you can, I know you were not up there flying, this is a map of the area that you were all working out of, this is the [REDACTED] area that you all took off from, what was your proposed route of flight?

WIT: To the best of my recollection, we were going to be dropping somewhere in there, and our aircraft was orientated basically East, because this is that observation tower.

IO: That you could see?

WIT: Yes, sir.

IO: That pagoda looking thing?

WIT: Yes that is one way to put it, that was the obstacle, the corner of the pad, and the warehouse, and the water tower, and the power lines that ran with the road, those were the main obstacles in our mind. All the days prior we had been picking up and traveling along this route crossing in between that little secondary driveway and that dune, and then cutting over the water, and usually flying along the North side, because the boats would usually be around here, and they would be like, I have the cruise in sight one o'clock, CAST would turn around and verify it, and then we would slow down and get down to the altitude that we needed to be, and we were dropping the swimmers at I believe 10 feet, and 10 knots max, and they would give them a one minute call, a 30 second call, wait, one minute, then 30 seconds, and he would say something like, "Time", and then that guy would air assault, putting the divers in the water, and when they were all out he be like, "alright thanks", and would take the headset off and put it in between the crew seats and hop, whoever could get to it would take it and secure it, then we would depart out of this area, back along here and then cutting across and landing on the pad.

IO: Can you sign and date that?

WIT: Yes sir.

IO: Better print there.

WIT: Yes sir.

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 10 OF 12 PAGES

APD PE v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

WIT: Yes sir, we were on weather hold just prior to the accident.

IO: Any alcohol drinking?

WIT: No sir.

IO: Is there anything you would like to add?

WIT: It sucks that it's obvious, to be honest with you sir, I hoped for a different outcome, I would do it again. I thought that we were going to go play in Florida, and those guys were all business, and if we could only be around people like that more often, up until the accident that was the best week of my career, flying the coast by the beach, people waving, and writing things in the sand, I thought I was somebody, not just somebody that shows up and rides in the back, and working with these guy they were just out of control, they were funny, but they were cool.

IO: I can tell you, you were not a crew chief when I was there, and just listening to you talk, and the way you talk about being in the aircraft, obviously someone is doing training right out there, because you obviously had a good iteration with the crew.

WIT: I grew up with Lance and I grew up with [REDACTED] when we went inadvertent we couldn't look outside anymore other than having the ground, [REDACTED] has taught me from the Alpha-Lima days, "You can't look at that caution advisory panel anymore", but, "hey we are climbing? Are we? And airspeed? Hey we can't see what we are doing are we slowing down are we going backwards?, it's not that I ever took it for granted, but maybe that's why.

IO: You must have been on the right side?

WIT: I was in the right seat, yes sir.

IO: Before when you did that, I was wondering if you were looking at the pilots instrument panels to confirm.

WIT: He always told me, "Everybody has a say, your along for the ride", we got fuel, "Did we get fuel?", I love to going home, and so did those guys, I refuse to fly with anyone who, "they don't care", you won't see my name on the schedule, I love going home. For [REDACTED] I am sure they will fly again someday, I told them I can't ever repay what they did for us, I am just sitting in the back hanging out, they got us home, I don't feel comfortable with it right now, but if he needed me to go somewhere I would put my crap back on and I would go with him. I trust those two a lot, I trust [REDACTED] I would go anywhere with [REDACTED] there is a lot of those guys that I feel like they say the "Two challenge rule" that they would honor that and that they would not try to marginalize that because we were just along for the ride.

////////////////////////////////////NOTHING FOLLOWS END OF STATEMENT////////////////////////////////////

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 11 OF 12 PAGES

STATEMENT OF [REDACTED] TAKEN AT New Orleans, LA DATED 2015/03/20

9. STATEMENT (Continued)

END OF STATEMENT

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 12. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED SIGNATURE]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of March, 2015 at Jackson Barracks

[REDACTED SIGNATURE]
(Signature of Person Administering Oath)

[REDACTED NAME]
(Typed Name of Person Administering Oath)

Judge Advocate
(Authority To Administer Oaths)

WITNESSES:

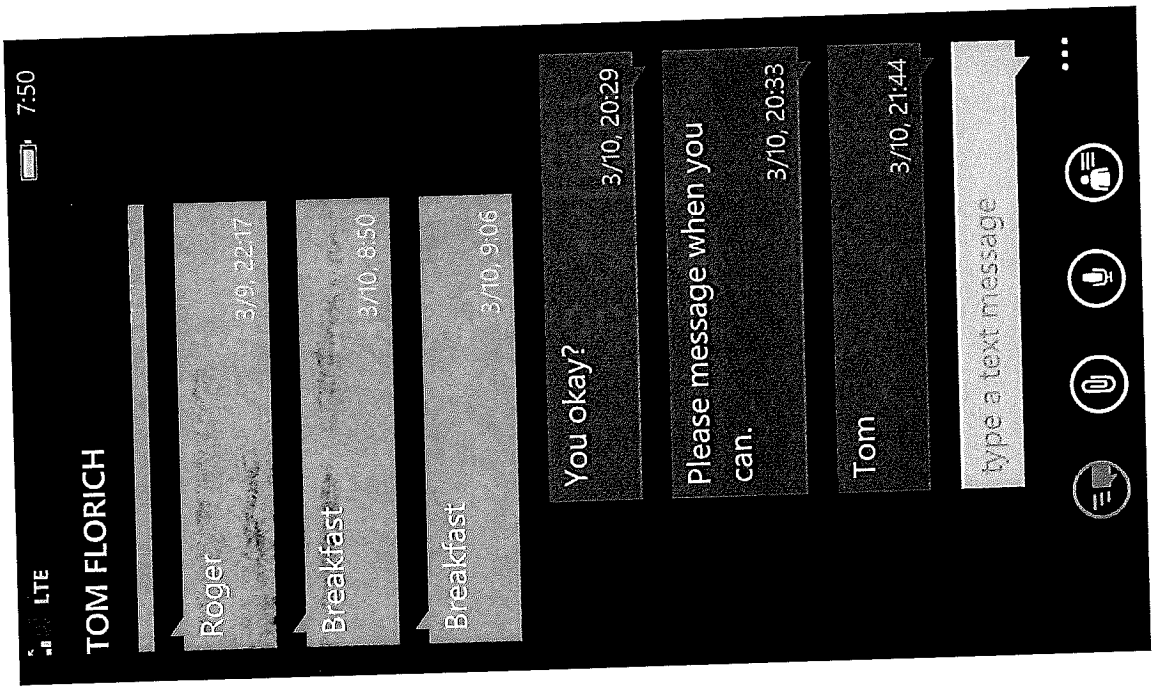
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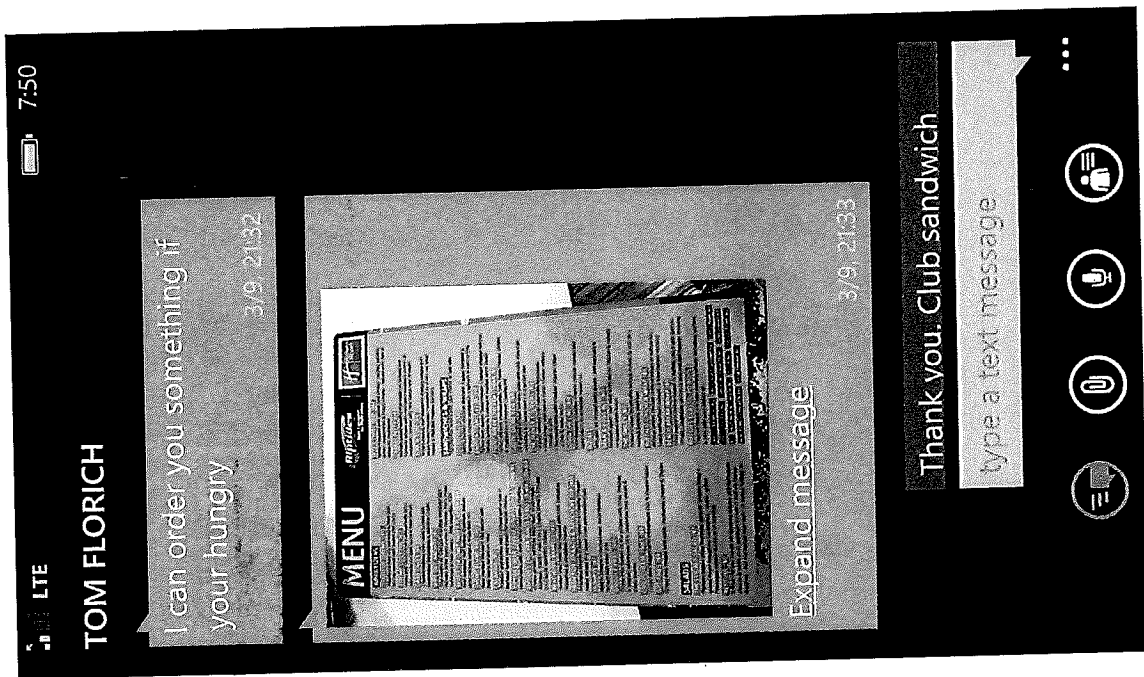
INITIALS OF PERSON MAKING STATEMENT [REDACTED]

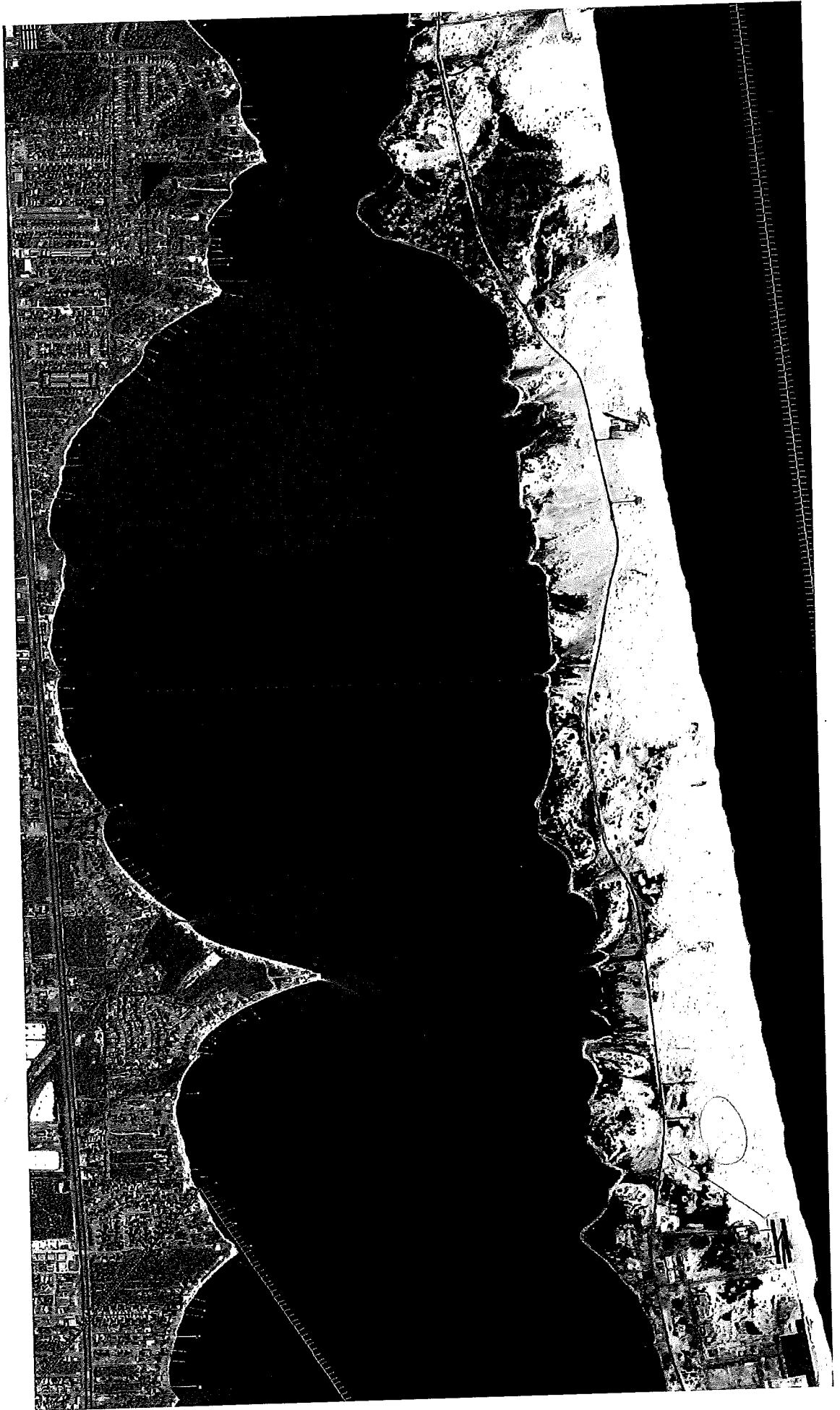
PAGE 12 OF 12 PAGES

Florch and



Florch and [redacted]





RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION	Jackson Barracks, LA	2. DATE	20 Mar 15	3. TIME	1315	4. FILE NO.	
5. NAME (Last, First, MI)	[REDACTED]	8. ORGANIZATION OR ADDRESS	[REDACTED]				
6. SSN	[REDACTED]	7. GRADE/STATUS	[REDACTED]				

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am suspected/accused: Violation of Army Regulation regarding use of alcohol before flying

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Jackson Barracks	2. DATE (YYYYMMDD) 20180325	3. TIME 1300	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS
[REDACTED]

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Were briefs or classes given on overwater and T-duck/helocasting procedures prior to beginning the training week?
A: Yes sir we had printed packets from 350-6 chapter ten. On Sunday we did static load training with MARSOC guys and had to work through issues with securing the watercraft.
Q: The packets. Did each crew member get one?
A: We as in the crew had one packet.
Q: Class?
A: Just reviewing the packet. I am familiar with over water duties such as bambi bucket.
Q: Did you have any additional crew commands for this mission out of the normal?
A: Not really. We had to work through a couple of things with the castmaster who was on comms. The crew chief performs airspace surveillance. The castmaster was to manage the load such as rate of ascent and decent. He was harnessed in but we were checking on him. We were not as engaged as normal crew operations with the load since there was a specialist on board.
Q: Were ground personnel involved?
A: Yes. They showed us how to rig the harness and we spent a lot of time with them rigging the watercraft. They partially inflated it to keep the engine from hitting our cargo floor. We worked together to keep from damaging the boat or aircraft. We spent a lot of time figuring out how to do this.
Q: Was a contingency plan discussed prior to each flight for bad weather?
A: Yes - specifically for weather the night of the 10th. The weather had been favorable. The contingency plan was that they identified 5 airports within the area that had precision recovery we could use. 180 safety azimuth that would keep us clear A15 and obstructions on the shore, giving us a couple of options. The third contingent was chalk 1 was supposed to climb to 3500 feet if inadvertent and that would go over the fog. 4500 for chalk 2.
Q: Where you present for a weather discussion that took place in front of G-Waynes aircraft prior to departing for night mission on 10 March 2015?
A: Yes. Wayne pulled METARS and talked about 5 airports. They discussed the safety azimuth and inadvertent imc procedures.
Q: I. Do you know what the minimum weather requirements were for the mission prior to takeoff?
A: 100/3 was the minimum
Q: What did they brief as the current weather?
A: They were pulling weather but I don't recall what the METARS said. I did not hear a specific ceiling. They were concerned about going below the minimum. I know they were set on 1000/3. Wilson said that to the [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT Jackson Barracks DATED 20150325

9. STATEMENT (Continued)

Q: Could you see the "observation" tower (space needle) to the [REDACTED] prior to take off? Could you see it unaided?

A: Under goggles. Could not see it unaided. I could see the light. It pulses and it would create a silhouette. You could see the halos from lights on the other side of the sound.

Q: Could you see it when you took off?

A: Yes sir. When I secured everything and rolled up my cord, I could still see it.

We had four important objects to watch out for in that area: The water tower, the observation tower, the road with wires and warehouse.

Q: Once you took off and began to climb out what altitude do you think you would have to maintain in order to not go inadvertent IMC or into the clouds or fog?

A: The weather began degrading within 10 seconds of clearing the pad. Because of not being able to see as well towards the east and water I went into ground surveillance.

Q: How high flying?

A: We were at 61 feet. Then we came up to 78 feet. We crossed the wire 74/78. I could still see the ground.

Q: 1. If you were uncomfortable with the weather or thought it was below what was briefed would you have told any of the other crewmembers you were uncomfortable?

A: When we got to the point of losing visibility intermittently I was uncomfortable. The best thing that we did was not go over the water. The last call was that [REDACTED] mawed as that they couldn't see anything and they went up. We had the ground and obstacles. I felt the best idea was to stay over land.

Q: You heard them call up?

A: Yes. They said "Its really thick, its really bad. We are going to climb up." Around that time [REDACTED] said not ok to drop. I pulled my pins and looked at cast master and made sure he heard not clear to drop. He gave hand signals to the guys in the back.

A: Disk separation?

Q: Don't know. Mr. Griffin said he is going to shine search light to see us. They said we were 5 or 6 disks apart.

Q: Do you feel comfortable to speak up if you are uncomfortable with weather?

A: I feel that if I was apprehensive about something they can explain it to me. I've only flown for about two years now but I have flown with lots of different crew mixes and I've never had resistance and I've had learning moments and they explain stuff to me.

Q: What mission tasks were conducted on the 8th, 9th, and afternoon of the 10th?

A: On 8th we conducted movement from [REDACTED] to airport. The only training was static training with harness and boat.

On the 9th, Monday, chalk 1 did the first two iterations. They walked the line and harness to our [REDACTED]. We drew back and our MARSOC were off to the side with us. When they came back we installed it on ours. The cast master secured with multiple d rings. They locked in and were ready to go.

We had learning moments as we were calling the load, but we learned all commands come from the castmaster.

On the 9th, we did two dry day sples and two wet day and night.

We did Trucks both 1 and 2 together and then we did night.

On the tenth, Only chalk 1 did ladder.

There was a Range delay. We worked with our team setting up the aircraft for the night portion.

Q: Do you know why the CV22 canceled?

A: I do not know why they canceled.

Q: Do you know the significance of [REDACTED]?

A: No.

Q: Going back to the Initial training, did you get copies of the SOPs?

A: No, that was more for the pilots. I know Mr. Griffin said he designed our SOP as close to task forces' SOP as possible.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT Jackson Barracks DATED 20150325

9. STATEMENT (Continued)

END OF STATEMENT. NOTHING FURTHER.

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of March, 2015 at Jackson Barracks

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

██████████
Around 1945 I attended a Weather briefing with the PCs (Giffin/██████████) and the crew chiefs (Luce, Tom, Cox) in front of ██████████. We discussed current WX off of a current METAR. They made a verbal list of ADP goals for the day w/ some kind of precision approach. Also, if impossible, chalk 1 (wagner) would climb to 3500 ft (lowest obs'd by) and chalk 2 would climb to 4500 ft. I think we were going up Eglin Approach but I could be mistaken (or vice versa app.) ~~with~~ Although WITH near ADP w/ PR, they discussed a later Altitude of 180' (branch side) with no obstacles other than an observation tower 2.5 miles away or so. Our third option was the grid for the area at A15

10 or so minutes later (1955ish) we were back to our seat on Comms (ACS) reiterating our options. Dick? Ryan asked if I (wagner) was/were comfortable. I was because we could see the tower lights flashing, which mildly silhouetted the tower (situated in addition, we could see the stroke off of the water tower near our path and light holes pass across the sound.

take off was around 2006. Chalk 1 was facing forward over 60° stroke, so they picked up to a low hover and conducted a pedal turn to face parallel over the S and the departure direction. Red was I and we departed to the 10 tall position of the pass. Very rapidly after take off the haze and fog increased. I would say 5 to 10 seconds after 600 feet was clear of haze

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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Fleming Hall, Jackson Barracks, New Orleans	2. DATE (YYYYMMDD) 2015/03/19	3. TIME 1426	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]		7. GRADE/STATUS [REDACTED]
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

IO: Please state your name, rank, and unit of assignment, and duty position.

WIT: [REDACTED]

IO: MOS?

WIT: 15B.

IO: Please describe your involvement in the initiation of this training mission.

WIT: As the unit commander I was part of the process from when we were contacted initially from the MARSOC personnel that wanted to train with us. I was part of the vetting process, in terms of it being a training opportunity that held value relative to our organizational training objectives/goals, METL, our aircrew members, and collectively. It was a combined effort between myself as the unit commander, and our relationship with the flight facility #1 - with [REDACTED] and also [REDACTED] and him as my next higher unit commander. The training events, this one in particular, often times are either separate from IDT periods, so sometimes not directly under my operational control as the battalion commander, or other times straddle across, like this one did in March, with a drill period. Unless there is further you want me to elaborate, that is my concise explanation.

IO: Was [REDACTED] and Mr. Griffin (G-Wayne) more involved in the detailed planning of it? From what I understand you were not there.

WIT: They were, and they are dual hatted with their roles in the facility and their roles relative to their positions in my battalion, making it appropriate. [REDACTED] as the facility [REDACTED] - And Mr. Griffin with his role as a full time facility instructor pilot, and also as my battalion standardization instructor pilot. So there was synergies there with how their facility roles, and their unit roles overlapped. Which is a good thing because it provided continuity, which is important in something like this because you don't want gaps in your plan. That was actually a deliberate part of the process to have continuity, especially that if and when it did transfer between facility leadership, to the unit, to back to facility, where those people who have those shared roles to establish continuity in the process, because of the working relationship we were trying to have with the supported unit [REDACTED]

10. EXHIBIT	11. INITIALS [REDACTED]	STATEMENT	PAGE 1 OF 6 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] DATED [REDACTED]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/19

9. STATEMENT (Continued)

IO: In this mission in particular, can you take us from Sunday morning drill, anything you know, until right now.
WIT: I have an email, that is the original chronology of the training plan that you all have probably seen, it is when we first found out about this particular training event coming up and the MARSOC POC got in touch with [REDACTED] [REDACTED] sent it out to all applicable leadership, [REDACTED] and myself as the [REDACTED]. It was on February 20th of 2015. To read briefly, this is from [REDACTED] cc'd to me, and [REDACTED] and my S3 office [REDACTED] a full time AGR S3 officer. [Reading email statement] "Sir, our next support for MARSOC is fast approaching." We had already done one previous training event with them, just not to this level of diversity with them. We were working through with them in a 'crawl, walk, run,' SOP development type of training relationship there, and that previous one was based around [REDACTED] and [REDACTED] area. [Continues Reading Email Statement] "Our next support for MARSOC is fast approaching, they requested two UH-60s for 'seats in,' and INFIL/EXFIL on March 6th, and SPIES, helo-cast, caving ladder ops for the 8th thru the 11th. We are two weeks away from the request, so please let me know what you need for ARNG NGB AVS approval, attached is a copy of their 'seats out' request, albeit not needed along with a general CONOP that needs updating." You see, we had done the due-diligence, about 'seats out' requirements relative to the tactical INFIL/EXFIL tasks, because for the NGB approval that is implied within certain tasks when it is not a normal troop movement mission. Below is an overview of the timeline. Now relative to your question, the timeline shifted a little bit from the original message, instead of how it was originally proposed in the initial support request as Thursday March 5th: Depart Hammond arrive at Destin, and drive to [REDACTED] for parallel training with MARSOC. Early in Destin on March 6th: Day INFIL at [REDACTED], then Night EXFIL back to [REDACTED] then Early on March 7th: RTB for drill. [End of email statement] That later on that shifted, to where we actually went on Friday, and Saturday, for the static load training, rehearsals, synching up, SOP vetting/methods, TTPs, and making sure we were on the same sheet with the supported unit. That was Mr. Griffin that went there as the senior representative, that aircraft and crew returned back Saturday at drill. Sunday they re-briefed as a flight of 2 aircraft, made sure everything was synched up, and departed with the two aircraft for the actual training exercise, to get there in position on Sunday so they could start training on Monday. Training continued from there, until the 10th of March, which was part of the training plan. I don't know how much you want me to go sequel to that, but obviously the leadership was informed. Continuing on the timeline, on 10Mar15, I was the first person that the other sister aircraft got in touch at 2155 Local regarding [REDACTED] being potentially overdue, and if you want specific timelines, I can use the activity log out of my blackberry.

IO: That would be great.

WIT: Jumping ahead to the evening (10Mar15), when the sister ship (MOJO 72) first contacted me; they were chalk 2 and had turned around when they lost visual contact with [REDACTED] I was the first person in leadership they contacted, but only because of phone connections. I can give you the chronology of it, once I was contacted it was within a matter of minutes all the appropriate aviation leadership were informed, and this is the same timeline that I gave the accident investigation team from my phone so just bear with me as I dig it out of my phone. On Tuesday March 10th I received a inbound mobile phone call from, [REDACTED] and at 2155 local, that was when he first informed me that they had lost visual contact, not too long after takeoff, with [REDACTED] and that they had appeared to go inadvertent IMC, and they had heard a radio call from [REDACTED] that indicated that when they lost visual contact that they were climbing. As I understand it, it was the visual obscuration or weather considerations that caused [REDACTED] to consider that turning around after losing visual contact [REDACTED] as the safest course of action, and that they had turned around before entering the conditions, and had returned safely to the pad that the flight of two had just departed from. My next call was to [REDACTED], after talking to [REDACTED], [REDACTED] told me the reason why he contacted me was because just minutes prior he had attempted to call [REDACTED] and the call went to voicemail, and was unable to get him directly. [REDACTED] then tried to contact [REDACTED], and the same thing happened, so he was going up the chain of command, even though I am not in his current chain of command, facility wise, he saw me as the next immediate commander prior to [REDACTED] I spent about five to seven minutes on the phone understanding the situation, and they told me it was approximately 2030 local was when they lost visual contact, and that now it has been almost been one and a half hours, to one hour 25 minutes, and that they had waited about 30 minutes before their first attempt to contact [REDACTED] because figured the crew would be very busy and they didn't want to raise them on the radio, because their [REDACTED] priority was safely maneuvering the aircraft. Once they [REDACTED] landed and shut down, they started calling approach control in the area, with the applicable approach controls being [REDACTED], to determine if they had any radio contact with that aircraft, and after doing that due diligence and following back up, they realized that no one had any radio contact with them, and I understand that simultaneously they were trying to contact each of the crew members via their mobile phones, to try and find out what their status was. After one hour and 25 minutes, they realized that too much time had passed with no means of contact with that crew, and that they needed to let the leadership know. I was on the phone with them for maybe five to seven minutes; just getting a basic "Five W's", because I knew that my next call would be [REDACTED] if I [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 6 PAGES

APD PE v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/19

9. STATEMENT (Continued)

WIT: couldn't get in touch with [REDACTED]. I wanted if possible, if no undue delay was created, get it (notification) back in the right chain of command, which would have been [REDACTED] before [REDACTED]. I didn't want to insert myself in needlessly, if it was timely information that needed to be passed. Within that I had some discussion with him [REDACTED] about how far we think they [REDACTED] could have gotten, and how long they would be aloft, and if we were still in that time frame. I thought they may still be in route and just hadn't had a chance to contact anybody. While I was talking with [REDACTED] on the phone I got my Ipad out with Fore flight. I was looking at what the weather was reporting, and how far Chalk 1 could have gotten, and if it was possible they contacted [REDACTED] approach control - versus Tyndal or Pensacola. It sounded that they [REDACTED] were talking to the right persons (ATC facilities) to confirm contact, and it also appeared that no one had any contact with them, from the best we could tell. Given that hour and a half had passed, we realized that we possibly could have had an accident, or an incident, because that was more time than should have potentially passed without contact. [REDACTED] did tell me that it may take more time before they [REDACTED] were going to land, because they were probably not flying at a normal cruise airspeed of 120 knots, because of their configuration with the K-Duck raft, and that they had the cabin doors open, and that they were going to be limited because of the cabin doors open with the raft to about 70 knots. That figured into the process of how much time maybe it would be till they were otherwise down safe, before we could make positive contact with them. My next call was to [REDACTED], after I talked to [REDACTED]. On 10 March, my first call to [REDACTED] was at 2203 local, he then called me back at 2208, and that was when I first notified him, and from that point, we agreed, that he would be the one that contacted [REDACTED], and start alerting up the chain of command, about the overdue aircraft and what we were doing about it. In between that placed and returned call, because I didn't get a hold him at first, he had to call me back, I did try and contact [REDACTED] and get everybody in the facility leadership informed on what was going on. I correct my recollection, I did not call [REDACTED]. I actually heard back from [REDACTED] quick enough, that there wasn't enough time to call [REDACTED]. What I did was I texted, in-between when I called [REDACTED] and didn't get him, I text him and [REDACTED] actually at 2216 local, after I talked to [REDACTED]. I texted them both and said [REDACTED] is the best to talk to direct, if you need more details. Then I relayed to [REDACTED] his mobile is [REDACTED] in case you don't have it handy, in an attempt to have them start talking directly to him. Let me verify, [Witness verifying on cell phone] on 10 March at 2205, I did place a call to [REDACTED] but I did not get in touch with him. At 2208 is when [REDACTED] called me back. So to correctly recount, at 2155 I heard form [REDACTED], and a few minutes after that at 2203 I attempted to call [REDACTED] and I missed him, and attempted to call [REDACTED] at 2205 and I missed him, then [REDACTED] called me back at 2208, during my call with [REDACTED] I also had a missed call from [REDACTED] at 2208, after I talked to [REDACTED] I sent the text described above at 2216 to he and [REDACTED]. If you need me to go back through that chronology I can, I am sorry I am jumping around, but I have to go back into each phone number in my address book separately to recall the activity log for the time of each call. Is that sufficient detail to know the sequence of events?

IO: Yea we are good.

WIT: The intent was to get the right information, flowing up the right chain of command in a timely manner, out of concern for an overdue aircraft and crew.

IO: So your full time duty is always the [REDACTED]?

WIT: Yes.

IO: So you were not in charge Tuesday the date of the accident?

WIT: I was not.

IO: Are you familiar with the training and the SOPs that the crew members were using to work this mission?

WIT: I am, CW4 Griffin, my battalion standardization instructor pilot, who also works standardization on the facility side, he and I had just not but a week and half to two weeks before had attended our ASMS meeting for the DRU. At that meeting he had been working the SOP development because we knew it was a published requirement. I think the reference for the requirement is per supplement 95-1, and some other areas, where you have to have written SOPs, and the NGB supplement talks about who they have to be [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 6 PAGES

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/18

9. STATEMENT (Continued)

WIT: vetted through, to do these type of tasks. Mr. Griffin had developed those (SOPs), and he had them at the ASMS because [REDACTED] who is our state standardization officer, was there, and it was the right venue to discuss those things, and vet those SOPs, and have everybody face to face. [REDACTED] was very explicit about us researching what the requirements to do this were, based upon what he had submitted to NGB AVS for the proper approval through them, to do that type training and these type tasks with our aircraft and our crews, and to make sure that SOP review and development was correct. With the intent that we would then start this training with our SOPs in place, with a senior crew mix using all instructors and all senior crew members, including SSG Lance Bergeron as our full-time Standardization Instructor non-rated crew member instructor, and for my battalion as my most senior SI/FI. All the pilots were SP's or IP's, in order to take that SOP, "crawl, walk, run" that had been developed, approved through the proper channels, and then go use it while we are doing the training with the unit we are supporting.

IO: Did the flight crews, either Wayne or [REDACTED], contact you any days, once they departed on Sunday?

WIT: I did not have contact with them once they were off site.

IO: How do you feel these tasks work into your METL?

WIT: I feel like they are in support of my METL, within the METL tasks per the unified joint task list that are available if you go to CATS, which is the Army's published source for the Unified Joint Task List (UJTL), which is where we as an aviation unit and all Army units have to pick our METL tasks from, and I feel it does support my METL. The problem with the Unified Joint Task List, is if you take all the 2000 series infil/exfil tasks per the UH-60 ATM, that fall within the scope of what 95-1 supplement talks about, which are: fast rope insertion and extraction operations (FRIES), perform repelling operations, perform special patrol infil/exfil operations systems (SPIES), perform rescue hoist operations, perform paradrop, and perform helocast - only two of those are anywhere I can find the Unified Joint Task List, for either a METL tasks or a supporting METL tasks. I definitely feel like it is part of the METL of the unit, but if we are going to make the literal statement, that it is part of a METL task that I can find in the Unified Joint Task List, unless there is something that I am missing after a lot of due-diligence, it is not there. Coincidentally, the Tuesday of this event, I was in my office, doing METL development leading up to my ARMS coming up, and I had already spent the past multiple months reviewing my METL, because things change a lot on CATS, and I was trying to update the METL with how some of these tasks numbers and titles have changed, I was going through the process of finding out under the task "conduct air assault operations", which is a METL tasks for my flight companies, my Hawk companies, UH-60M model companies, and my battalion, where the 2000 series tasks were listed, and found only two of the approximately five of them, are even listed, despite the fact that NGB supplement basically implies that they should all be there on the Unified Joint Task List. The references with what the Army gives us (UJTL) and the NGB supplement do not compliment each other properly. So if that makes sense, that as a commander with my responsibility with establishing what my METL is, and publishing it, I was trying to work through that. We had the Train-the-Trainer team come visit the state that was from DA, it was mobile training team about METL doctrine, I actually sent my S3 and my OPS NCOIC, to go to the class with some of these very same questions, and unfortunately they (the training team) didn't have that kind of doctrinal knowledge, they were more experts on how to use the website, not the doctrinal intent of the site. In terms of the Unified Joint Task List, brigades and above size units have a specified METL, company METL tasks are grouped on CATS per their SRC code from the MTOE, it's how I pick which UH 60 company, or any other type company I go to on the Unified Joint Task List drop down on CATS. There are these gaps on what is on the UJTL, compared to what I am supposed to do as a battalion commander in METL development and publication. What I am illustrating is in terms of the due-diligence we did, relative to what training we were doing, according to the ATM of our aircraft, the type of mission tasks, and the published references from a regulatory standpoint we had from the Army and from NGB, and what the Army had given us in terms of METL tasks specified on the Unified Joint Task List. In the process of trying to do that due-diligence, I discovered there are gaps as it relates to out-of-sequence or non-synchronized publications, in either revision history or as published.

IO: Are there other tasks that are not on your METL that have to be done? I do not have a CTL in front of me, but I know that "Bambi buckets", have become a pretty common thing among guard units. Is that on the Army METL?

WIT: It (Bambi buckets) is an ATM task. The reference (for infil/exfil tasks) being NGB Supplement 95-1 para. 4-15.1, where it is a supplement to AR 95-1, where it talks about tactical ingress/egress operations, and how it is supposed to be part of the mission essential task list, and it later says, "Or a supporting task on the units METL", it the list in sub paragraph 2," Tactical ingress/egress operations include: Repealing, rescue hoist, "SPIES and [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 4 OF 6 PAGES

APD PE v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/19

9. STATEMENT (Continued)

WIT: FRIES, helo-cast recovery, parachute operations, para-drop, and CRRC (Combat rubber raiding craft, also know as K-Duck), which is the type of boat that they were using in conjunction with the helo-cast. Now if you go to the aircraft ATM, those same tasks are listed as ATM tasks for that same type airframe, but it (NGB supplement 95-1) also talks about they are supposed to be a METL task, or a supporting METL task, which in actuality they might or might not exist on the Unified Joint Task List. What NGB Supplement 95-1 is telling me to do is something that is not possible because, except for two of them (mission tasks), they do not exist on the UJTL. The latest published version of NGB 95-1 I have, because the more current version of this one is in draft and not yet released for publication, is dated 8 August 2011, where by AR 95-1 the most recent version is 11 March 2014, so the revision history is not even in sync. So whatever perceived gaps there are between the unit METL, relative to these ATM tasks is a function of publication history, not in terms of, due-diligence and whether we vetted it and got it approved thorough proper channels prior to execution of training.

IO: Mission tasks? They go on the CTL?

WIT: They do.

IO: Do you know if these mission tasks were on the CTL at the time?

WIT: I did not visually verify that prior to training, I can not confirm or deny that, because I did not look at their CTLs prior to departure. My understanding was that they should have been, or at the appropriate time relative to the training event. We know its a CTL task, but we also have been between the digital and hard copy records conversion with the new CAFRS, and because the records were sequestered I was not able to confirm once the accident happened, and I did not visually verify before. I just want to clarify relative to these CTL tasks, per AR 95-1 where it describes what the role of the Instructor pilot, and what the role of a standardization instructor pilot is - it is to start train on ATM tasks, including 2000 series tasks that are new tasks, that is what standardization instructor pilots do. The training of new tasks is what they do, per that reference if a unit needs to start new 2000 series mission tasks per the ATM, instructor pilots, and standardization instructors pilots are who start that type training. That is how you start that, you do not typically bring in someone from another state, that has already been doing that task. That is within what I understand to be the intent of that part of 95-1, that is what it tells me as a commander on how to manage and train my aircrew in terms of the regulation. That is the concept of what we were doing, trying to "crawl, walk, run", and have our senior trainers do this training, develop the SOPs, vet it, and once we had a understanding of the training and how to execute it safely, we would train our trainers, and cascade it down from there, through our other crew members based upon experience. That was just to finish out where I was going with that reference to AR 95-1.

IO: Over water training?

WIT: Our crews are at varying degrees of qualification and/or currency, it is unique to each individual about their over water training, or whether they are current on their Dunker and HEEDS training, which has a 4 year expiration. According to AR 95-1 and NBG 95-1 where it talks about the mission requirements where you have to be current for individual's over water training and have floatation devices. My understanding is that they reviewed that relative to the proximity distance to land, their single engine flight capability, and that requirements were met as part of the risk assessment, mitigation process for the location of the aircraft, the profile of the aircraft, the power and performance of the aircraft, and the proximity to land.

IO: Since the mission took off on Sunday on IDT, did it fall under your briefing and approving process?

WIT: It did fall under my process, but what was unique is if you look at the names on the 5484s, the risk assessment brief sheets, and because [REDACTED] wanted direct interaction with the crews to ensure that the plans we had discussed as leaders prior to (execution) - that there was common understanding with all the people involved in the process as well as the crews - What was unique about this was the dual roles between the people in the facility, and my battalion. The initial mission approval authority, which was [REDACTED] on the facility side, is also an initial mission approval authority as [REDACTED] on the unit side. The briefing officer who was [REDACTED] on the facility side, is also on briefing orders on the unit side. The mission approval authority, which was a non-mitigateable high, was [REDACTED], who is both that level as the SAO, and as my next higher commander, as the group commander. Although it did fall within my process for the Saturday and Sunday, the continuity of those people between the weekday, and the drill weekend, meant there was no transition of those names because those authorities existed in both duty statuses [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 5 OF 6 PAGES

APD PE v1.01ES

STATEMENT OF [REDACTED] TAKEN AT _____ DATED 2015/03/19

9. STATEMENT (Continued)

IO: For my situational awareness , you have the 244th SOP and an AASF number 1 related to SOP?

WIT: Yes sir.

IO: Mirror images of each other?

WIT: No sir, the 244th SOP, is our tactical SOP structured for when the unit deploys and is operating separately from the flight facility. We have a memorandum of agreement in place between the unit, and both flight facilities where we operate aircraft out of, and the language in that that talks about how the facility will maintain our flight records, and how we (the unit) will operate underneath their SOPs when we are in garrison operations, which is IDT and AT periods. When we are co-located, which is our normal steady state operations, we fall under the facility SOP and that (memorandum of agreement) is established between both flight facilities (AASF1 and AASF2) and the battalion.

////////////////////////////////////NOTHING FOLLOWS END OF STATEMENT////////////////////////////////////

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR U [REDACTED]

WITNESSES:

[REDACTED] (ent)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of MARCH 2015

at [REDACTED]

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Jackson Barracks, New Orleans, LA	2. DATE (YYYYMMDD) 2015/03/20	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

IO: Please state your name, rank, duty of assignment and duty position?

WIT: My name is [REDACTED]. I am dual hatted as both [REDACTED].

IO: What is that MOS?

WIT: I am a 15 series, UH-60 pilot.

IO: What we would like you to do is to just go back to the beginning from the involvement in this mission, the [REDACTED] that they did over the past week, and just in detail just lay out your involvement with the process of the mission.

WIT: Ok, well to properly lay the context and the ground work for that I think that a brief overview of my experience with this unit and this particular mission is in order. I was both the [REDACTED] in both of the combat rotations we did. And in both of those combat rotations one of the missions we were assigned we were in direct support to special operations. We did a lot of tactical INFIL and EXFIL, in addition to some of their C2 movement, and some of their logistical support. So we had a wide variety of missions in OCONUS to include marines and SEAL teams. I flew with [REDACTED] and Wayne on these particular mission sets, so [REDACTED] and Wayne had flown on those particular mission sets in theater. In 2012 we were supposed to go back to theater, and I know that [REDACTED] was the [REDACTED] back then, and they had actually reached out to someone at the facility. In fact SEAL team 8 as I recall, to do some mission sets and some training, prepping for what we thought would be our rotation in 2012, and have that exact same mission sets that we had in OIF2 and the 2008-09 rotation. So given that background and context, I am not exactly sure who reached out to who first with MARSOC. I think they reached out to us, I can't recall specifically, but I know in January there was some reach out to us for mission support. When that was first brought to my attention some of the first things that I wanted to ensure that we had done, and that is where I have a lot of email traffic from me, was to ensure that we were covering the regulatory bases. I gave them guidance on how we were going to crawl, walk, run, and how we were going to set the training to make sure that the crews understood how to do this and how we were going to approach it. In this particular mission before we ever got to this point in January, we had started some face to face sharing of SOPs, one of the things that I mandated was that they had to go face to face in liaison, and to make sure we worked the SOPs to the point we all knew what we were doing, set expectations at to what we could do, and what we couldn't do, and ensure that everyone was on the same sheet of music.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 8 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/20

9. STATEMENT (Continued)

WIT: We had done some operations with MARSOC in February, based on those January meetings. We had actually done a mission with them in, I think it was February, we were involved in some CASEVAC and some assault. The next iteration was going to be some of battalion tasks that [REDACTED] thought were import to train his battalion. So when I was approached about what was going to go on in March in this particular set, I wanted to vet it and make sure that we knew what we were doing, so I had sent some email traffic to make sure, hey make sure that this is part of the battalion METL. I sent some of the regulatory authority to the facility, to [REDACTED] and to [REDACTED] and to [REDACTED] I said, hey guys make sure that we are covering all of these bases, and I actually took some excerpts out of the regulations, of AR 95-1, and NGB supplement to AR 95-1, and NGB PAM 95-5, to make sure that we were covering things on the CTL, and to make sure they were part of the battalion supporting METL tasks. Once that was being done, [REDACTED] had responded back to me that Wayne was going to be the lead on that, some of those SOPs were developed, and I know that I mandated that Wayne, or someone, fly out and face to face with them again on this particular mission before we ever got there, which I think they did either on either Thursday and Friday, or Friday and Saturday. I forget the exact two days that they went out prior to the mission in question, to ensure that some of those things were done. I can personally tell you that I reviewed the SOPs. I read them with my state standards officer, at the ASMAS meeting. We went over them, we discussed them at the ASMAS meeting on February the 27th, and we ensured that we had looked at all of that, and we made sure that we incorporated the USSOCOM 350-6 into the SOPs we were covering what needed to be covered. I told Wayne when he was going out there, I said, take these SOPs with you, and I handed them back, and I said, take them with you and make sure that you do any pen and ink changes and do what you think you need to do with them. I wanted to make sure that we have this right in the SOPs, as we go on, as we start to get into more of tactical play vs the training play, that all of the crews understand how to operate. My main focus in this initial mission set was to just kind of crawl, and maybe do a little walking, to get that set of cadre that was trained in the mission set, so that we could begin to, you know train the trainers. We start out with those SP's, and that was why the crews were specifically selected, they were all SP's, IP's, ST's, to insure that we had the right guys at the right place and time to get the mission set trained so that we could begin to filter down. That is why we didn't send any PC's, or PI's on the initial set. That is kind of the lay of the land for the mission, for the mission on the 10th. The other thing that I did do, was some CONOPs that were developed, and I sent NGB the request to do the mission. I sent up a memorandum, I don't remember the exact date but it was sometime in February as I recall, mid-February maybe, something like that. I know I called NGB and discussed it with them, talked to [REDACTED] as I recall, I sent up a memorandum, got the approvals back from NGB, laid out what we were going to be doing. The request from NGB in accordance with 95-5 was to send them a CONOP, and I did, prior to this mission set we had sent them a CONOP, to NGB, to let them know what we were doing. It wasn't near as complicated as the CONOP that I reviewed from the Marines, we just kind of asked [REDACTED] to put together a one slider. I didn't want to send them a 25 page power point, so we did a one slider and sent it to NGB so they were informed of what we were doing. The other thing that I reviewed was the CRM that was done by the Marines. I went through their risk assessment, to just kind of eyeball what they were assessing what their risk was to their guys in the back, that was the lay of the land for the mission set.

IO: What we would like you to do now, is take us back, mission specifically, and just kind of put yourself back, you were the final mission approval authority for the mission?

WIT: Yes I was.

IO: Take us back to the Thursday and Friday prior to them going, I am not sure of your involvement. If your involvement was in that lets go back till that point, if it wasn't till Sunday when they left then we can start there, basically give us everything that you have, as far as the briefing process that you did.

WIT: The only involvement in that Thursday-Friday, or Friday-Saturday, was that was part of my risk mitigation strategy to make sure that those crews were doing an interface, liaison and doing face to face. I was making sure that whatever they were going to discuss, and whatever dry runs they were going to do, discuss exactly how this was going to go. I just wanted to make sure that this was going slow enough to ensure that we were going to set ourselves up for success, so that was my involvement in it. I think that it was supposed to be Thursday-Friday, and I think it was either weather, or something pushed us to Friday-Saturday, that was my involvement in that piece. Did I actually brief or finally approve that mission? No it was just a movement out there to do that interface. On this particular mission set it was laid out to me by day what they were going to do, and that was in email traffic that I

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[REDACTED]

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STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/20

9. STATEMENT (Continued)

WIT: had received from [REDACTED] who is the [REDACTED] and also [REDACTED]. This was over drill weekend, and I knew the crew was leaving on drill weekend and the mission was a continuation, and they had a lot of facility briefs, and it was mainly a facility mission, it just sort of crossed the drill weekend line because they were leaving Sunday. The battalion commander, the facility commander, and the facility supervisor IP, and myself were all involved in it, and I think [REDACTED] was actually the briefing officer. He was both in the battalion and the facility, so I made them come over and bring the brief sheets to me.

IO: Who came over?

WIT: Wayne and [REDACTED] the two PCs. I told them I had wanted to meet them face to face, and they had called me on the phone, and I said, no you guys come over. I know there was even discussion about the briefing sheets and I said, no it's all laid out by day bring me a briefing sheet for each and every day of the mission sets that you are going to do. I can't remember if it was 9-13 I don't know exactly what the dates were without looking at the brief sheets, but I said, bring me over the brief sheets for all four days with each crew, with each mission set, which they did. I had already reviewed the CONOPs. I had already reviewed a lot of things before they had ever come to see me, so I was very familiar with what they were going to do on the mission briefing sheets. My main thing on the briefing sheet as the final mission approval authority, I knew it was a high risk because of seats out, it was automatically a high risk, if that were not the case, I don't even know if I would have been final approving this mission set. Because of the seats being out it came to me by regulation. My main things I wanted to sit down and talk to them were the weather, and I wanted to make sure, and you'll know this phrase, "Keep the shoreline in sight" We have Lake Pontchartrain, and the lake can get really skosh as you know. That is a pretty common phrase around here "Keep the shoreline in sight" and then I just wanted to make sure they took it slow, and just did the training Do the iterations and get the SOPs correct so we could move on to the next phase, and that would be starting to broaden the group of guys that we were training, and eventually get it to be where it could be a PC, and a PI, and that was where we were trying to get. It's where we were trying to go, based upon what [REDACTED] was trying to do with his battalion. They came over and I sat them in my office, I think [REDACTED] initially called me and the crew was with Brian being briefed, and I said, no send them to me with all the brief sheets. They walked over to the office from across the facility to the readiness center, and I sat them down, and we talked for probably 10-15 minutes, I guess or something like that. I was going to go to PEC, but I knew there was going to be a rain-soaker, I think that it was forecasted for a bunch of rain, and they were talking about the weather. I said, guys I wrote on the brief sheet and I signed it in my scribbled hand writing, and I said, guys I am putting on here 1000 and three, start putting it on the brief sheet guys. There was like eight brief sheets because there was a brief sheet per crew everyday for four days. I think there was like eight brief sheets. I can't remember which brief sheet I wrote on, but I think maybe it was one or two, but I can't remember exactly how many brief sheets I signed, but I said, alright guys start writing 1000 and three, and that was the main thing that I wanted to relay to them. The weather, that was the main risk that I had seen because I knew that they were going to be kinda of low and slow in the helo-cast, and I knew that they were not going very far off the shoreline. I knew they were going to the sound, and I am really familiar with that Navarre sound, and it's not wide. I mean it might be, I don't even know if its a mile, it's not wide, and that is why I said that. If you keep the shorelines in sight you will have good reference, and because I knew that I was going to PEC, I said, don't call me if it is not a 1000 and three guys. So I wrote that on the brief sheet, and initialed it. I knew that Wayne had already been out there with the rig-masters, and the load-masters, and I have so much confidence with Wayne. I don't have a finer pilot. I just don't. Wayne had worked with these operators, he knew how they operated, and I think he understood. I knew that I didn't have the expertise as far as what the rigging was supposed to be like. That is why I reviewed the CRM, which is in my packet if you all want it. I don't know, but I reviewed the CRM from the Marine Corps to insure they covered what I thought would be some of the risk. I didn't have any problem with the way they had covered the ris. I think they covered very adequately. My main concern was to make sure my crew knew what the weather criteria was, and I saw that as the major risk in that they were going to be over water, and you have flown over Lake Pontchartrain and you know the deal, sometimes you can lose the horizon and that was my main concern. Initially I didn't know if they were going over the gulf, and I was like, I don't want you going over the gulf, but when I knew they were in the bay, I was like OK, fine. Navarre like I said is very narrow and I knew that if they had three miles they would be fine, and if they could keep the shorelines in sight it wouldn't be an issue. That was the main things we talked about 1000 and three, shoreline in sight, and just take it easy and just make sure that we capture those lessons with the SOPs. Come back with good products so that we can finalize the SOPs and then disseminate those up, but I think I had actually signed those SOPs at the ASMAS as I remember. I think I signed them, I am almost positive I did. I remember specifically reading them and going through them and had a few questions about them but Wiley and I know Brad were at the ASMAS, so I had the state safety and standardization guys with me as we kind of reviewed them and went through them.

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STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/20

9. STATEMENT (Continued)

WIT: That was the interaction I had with the crew before they left. I am trying to think if I told them anything else. No I think that was it. We were about 15 minutes in the office walking through the taskers.

IO: Is 1000 and three, that is what your telling me they needed to have to do this mission is that normally what you all have out of Hammond?

WIT: You can go down to 700 and two at night under goggles, that is authorized as a medium risk on the briefing sheet, but on this particular mission I wasn't willing to anything less than 1000 and three, so I stuck with the higher criteria for training. I saw no good reason to go to 700 and two. It wasn't a mission, it wasn't super important that we get it done. It was a training event, so there was no reason to go less than 1000 and three.

IO: Was there any daily contact? From the time they left Hammond on Sunday did they make any calls back to you discussing any issues or weather?

WIT: To me no, I was out of town at PEC. I do know that there were calls back to the facility, but to me specifically no. I didn't receive any phone calls from the crew. They knew what the criteria was and they already knew not to call me if it was less because the answer was no. They knew.

IO: You told them that?

WIT: I told them that.

IO: Did you have reservations about you all performing these types of missions?

WIT: Reservations? I wouldn't classify it as reservations. I would classify it as being cautious. I would classify it as... look this is the way I view it. I was a battalion commander. When a battalion commander asks you as his senior officer, "Hey this is what I think I need to train my battalion in, these are the tasks I think I should be proficient in, this is part of my METL and supporting METL tasks", I am going to support that. I was a little cautious especially with the FRIES piece? Yea. Was I hot to try and buy FRIES bars? No. I didn't see these particular tasks as really that complex especially in this scenario. It wasn't like it was part of a tactical play, were you had an operations order, or a FRAGO of some type from an OP order. This was strictly lanes training is the best way to describe it. I didn't see it as really that complex of a task, the mission profile the helo-cast is not that complex in my opinion, but maybe I got that wrong. I was cautious about pieces of it and this was not one of those pieces. I wanted to insure we put the guys we put on it. What I didn't want was a someone a little younger who might be just too "gung-ho." "Hey these are MARSOC guys they are the best of the best, we want to please the customer." I tried to put seniority on it, with a lot of flight time, and a lot of experience to try and mitigate those risks as best as we could. I didn't have a problem with the crew mix. I am telling you right now and I am I will state for the record that I didn't have any problem with the crew mix. You guys will figure out what you want to figure out, but I can tell you this, I would have put my wife and my kids in the back of that aircraft. I told the press that and I will tell anybody that. I don't have a finer pilot and a better crew. I thought we put and still think, and if I were asked to make the same crew mix I would do it again tomorrow. I have flown with each and everyone of those pilots on missions to include Lance Bergeron and Tom Florich. It is a little weird thing about the Guard. I understand it is a little different that you maybe know your pilots better than most brigade commanders might, although not true brigade commander, but as an [REDACTED] I just had the opportunity to fly with them in every mission set. I can tell you I remember a mission I had with Wayne Griffin on Christmas day in Iraq. We couldn't see from here to that door out there. We just got caught in some stuff in Iraq. I am telling you I wouldn't want to have been with anyone else. Wayne and Dave earned a lot of confidence, so did [REDACTED]. They earned our trust, they earned my trust. It is not like we gave it to them they earned it. I know for a fact that we went and check up on things over the year that they said were done, and they were done. They had earned their stripes, for lack of a better description. We just didn't throw them out there. Wayne was the senior guy in the battalion, you had SP's SP's on those aircraft. We did that for a reason, that was done for a reason.

IO: CTLs, I know you mentioned that a little earlier, you said you had talked about the task being placed on a CTL?

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STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/20

9. STATEMENT (Continued)

WIT: I can tell you exactly what I said.

IO: We will want those for the record too.

WIT: I said, and I sent this to [REDACTED]. " [REDACTED] see the excerpts below, the way I read this I have to get approval from NGB AV, then we have to have this part of supporting task on battalion METL, are the tasks that MARSOC is asking us to support part of the battalion METL tasks. Do we comply with the other requirements are in NGB supplement to AR 95-1." I copied and pasted the appropriate pieces out of the regulation, then [REDACTED] responded to that email and basically said, " Yea he has Wayne massaging the tactical insertion parts of the SOPs in conjunction of USSOCOM 350-6. Once that happens we will need you signatures." Those are the SOPs that I was telling you about. We signed and went through at the ASMAS/ Then [REDACTED] talks about how he went through the utility cargo helicopter FM's, where those insertions and extractions operations, where these primary operations for air assault. I know [REDACTED] and I had conversations, and [REDACTED] is a 20,000 pound brain. He doesn't leave anything uncovered. I know that he was struggling with CATS I don't even know what CATS is, I guess that is the online thing for battalion METL tasks, supporting sub-METL tasks. In the old days you just used to have it designated, you would just go to ATM and the commander would designate the tasks. All of that is online now, and it changes like the wind. There is some disconnect between what is on CATS, what's updated, what's not updated, and-based on what's in the regs. It's not as easy as it sounds. Then [REDACTED] says, the ATM tasks need to cover the tasks need to cover the following, and he lists helo-cast, and it says, " Being legal would be a matter of having the ATP commander adding the above listed task on certain CTLs, I personally recommend only the following people be considered." Initially we wanted to train the trainers before we put it on the CTLs to get everybody signed up for those 2000 series tasks. They had a plan of how they were going to do it. I know that was all discussed and I know that I asked if that was being done. I was assured that it was being done. I had no reason to doubt that it was being done. The records were quarantined so I can't tell you if I saw them or not, but I am pretty confident it was done. I do know that we were going through a CAFRS iteration, and all the flight records, all the individual flight training folders were going from paper to going online. I can tell you we were having fits with it. I sent Wayne, [REDACTED] and a couple of the other supervisor IP's at the facilities to that training. I can tell you there are a lot of issues with syncing CAFRS. What you put in and when it syncs and when it links, there are problems with CAFRS.

IO: Just so I understand it, the new system digital, it links the [REDACTED] ?

WIT: That is what it is supposed to do. There is supposed to be a synching and a linking of that. I am not an expert on it, but I can tell that I know that we are having a lot of problems with our flight records. We are getting ready for an ARMS, so we were trying to go digital before the AMRS team got her. I am almost like sorry I am trying to do this. I just should have just kept the paper records till the ARMS team left, because I know that our records would be in better shape if we just had them in paper right now. I think that a lot of folks are having problems. I can tell you we are having problems trying to get our digital records to synch up with the entries that we are making into CAFRS. It is not pulling and synching. It could be a screw up on our part, an operator error it could be a systems error, I don't know. I just know that we are having some problems with it.

IO: When do you all have an ARMS?

WIT: The ARMS is in August at two different times for Facility #1, and Facility #2. The units up north and the units down south, and then we have an ATAT. Well it was supposed to be this coming weekend, but I pushed it till mid-may. Then the ATAT for Facility #2 and 2d battalion is during drill in May. Then 5-8 is the ATAT for Facility #1 and the battalion. Then in the 2d and 3rd week in August is the ARMS for the units and the facilities. So we were trying to do a lot of prep. That was why we were trying to get all the records together and straight and I know that we were having some CAFRS issues.

IO: That takes your involvement up until the mission release, take us from the time you were notified of the accident until search and rescue and recovery efforts began.

WIT: I was at PEC which is the Professional Education and Training center in Camp Robinson, Arkansas, I was there for the G3synch/SAAO conference, also from the state I know [REDACTED] was there and so was [REDACTED] I had actually gone out to dinner with [REDACTED] we went to get something to eat. We had an Aviation task force meeting that night

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9. STATEMENT (Continued)

WIT: I just dropped [REDACTED] off at his room, it was about 10:11, 10:12, 10:15 somewhere in that area. I got a phone call from [REDACTED] and he said, "Sir, I think we might have a problem." I said what's the problem? He said, "We haven't heard from [REDACTED] or had any contact from G-Wayne." I said, OK when you say no contact what happened? He then gave me a brief description that both aircraft took off he told me that they were about 10-12 disks from each other. He said that Chalk 2 had gotten a radio call from Chalk 1. I don't remember exactly the verbiage but what I got out of it was that they had lost contact with the ground and that Chalk 2 had indicated they still had the ground to turn around and go back to base. [REDACTED] had said that they had started calling around after an hour and half, two hours, based on what they thought they had on fuel. They hadn't heard from them. They were calling ATC trying to see who they talked to and nobody had any contact with the crew. That is when [REDACTED] called me to relay that to me. I immediately picked up the phone and called [REDACTED]. That would have been between the 10:15-10:30 time line. I called [REDACTED] first and I think that [REDACTED] might have called [REDACTED]. Then I called [REDACTED]. I can't tell you that [REDACTED] did, but I think he did. Then I called [REDACTED]. I told [REDACTED] that I thought that we had a problem and that I am concerned because if the crew was on the ground in a place where they were ok, or at least functional somebody would have made a cell phone call, or something. Some message from somebody in that crew would have gotten out. The fact that it did not get out and the fact that there was no ATC I said I had great concern that they were in the water and in trouble. After I hung up with him I called [REDACTED] back, and I think I got a call from [REDACTED] to tell me the same thing. I think I called [REDACTED] back to tell him, "Hey sir this is what's going on, this is what they are doing." We knew we had boats and divers in the water. That was part of the risk strategy to make sure that there were boats and divers were that LZ was. It was so close to A15, not even a minute flight, maybe 2-3 miles. It was very, very close, so there was a lot of divers and boats in the water, and that was part of the strategy that we were going to mitigate the risk with for the over water piece. I knew that [REDACTED] had spoke to [REDACTED] so I was getting updates like every 10-15 minutes. [REDACTED] actually walked over to my room, and from about 11 o'clock we were just up for the night working all the pieces. What was incredibly disappointing was that at 2 o'clock in the morning there was a press release that was forwarded to me from [REDACTED] from the PAO on site. In my opinion giving a lot of information probably should not have been given. That was one of my concerns and I shared that concern with [REDACTED] and maybe even the [REDACTED]. Navarre is a resort area so the concern was if there was press and they got up front before we could we notify and talk to the families it was going to be a bad thing. When I saw that press release named the unit, they named the town, I was like, you have got to be kidding me. I thought it would be a little more generic like, "There was a military helicopter crash in this general area, search and rescue operations are underway." That is not what it said, so we really had to scramble and worked that morning to get the CNOs notified, because the press release had basically said, "Presumed no survivors." I was like that is a lot of information so the families knew where their guys were.

IO: That was the PAO from Eglin?

WIT: Yes that was the PAO from Eglin. When I got the email I forwarded it to [REDACTED]. I know that he got a hold of [REDACTED] who is our PAO. Then it hit the Fox news at five in the morning or something like that. [REDACTED] also came over to my room. So what we were trying to do was to really wrap our arms around what really was really taking place about whether or not there were any survivors and how we were going to get to the families to insure they had notification from the state that at least something had happened vs. just waking up and going to work and drinking coffee and there is Fox news with, "Blackhawk from the [REDACTED] from Hammond Louisiana has crashed, and we don't know if there are any survivors." That is not the way to wake up the wife. So that is what we were trying to wrap our arms around and get our CNOs out there to at least let those families know, "We have an issue". I don't have the exact times that all that happened, but I can tell you that those initial notifications were at the 10:15-10:30 time line. Throughout the night we worked it and then we called Texas to come do us a favor and [REDACTED] and I got on a C12 around 11 or 12 the next day to come back to the state. I think that was Wednesday morning if I am not mistaken.

IO: We have the MARSOC letter authorizing seats out, and actually the NGR for certain tasks authorizes seats out. Did you have additional authorization for seats out, because I thought [REDACTED] said that, and I can't find it in our book.

WIT: This is my understanding and maybe I am dead wrong, and my battalion SP's are dead wrong, and my state SP is dead wrong, and NGB is dead wrong, this is how it was briefed to

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STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2015/03/20

9. STATEMENT (Continued)

WIT: us, and this is how I understand it to be. That you have a supporting unit and a supported unit. The supported unit, the guys in the back, have to get a seats out waiver, from, depending on who it is and their chain of command is, a four star delegated no less than to two star, or whatever their appropriate chains of command are. So for example it is my understanding if I want to put 256th infantry brigade guys in the back, you know the assault mission we have coming up during AT with our IBCT. If [REDACTED] wanted to go seats out for those guys we would have to get a seats out waiver either directly from NGB or TAG because it can not be delegated to below a two star. I can not fly that mission without that waiver from [REDACTED] because such extremely high risk to the guys in the back he has to assume that risk.

IO: Maybe you misunderstood the question I am not disagreeing with you there, I thought I heard somebody say that you had a letter too, not from MARSOC we have the one from MARSOC, like NGB saying that you can do seats out, and I can't find that letter.

WIT: No, and I never requested such. and I think I understand what the regulation to say. My understanding is that I don't need that. My understanding of it is the tasks requires the seats to be out, then it comes to me as a high risk, but why would you need a waiver to do a task that requires the seats to be out to begin with. That just makes no common sense and that is not a common sense reading of the regulation as I understand it to be. So no I never asked for anything that, if there is anything like that out there, then it was a misinterpretation of something because I have never asked for that to my knowledge. That is my understanding of how that works on the seats out piece.

IO: So its higher risk?

WIT: It's a higher risk by regulation for the aviation unit that comes to the high risk approval authority. I know that it comes to the high risk approval authority, but I am not going to fly any differently because guys in the back have seats out. We are going to operate the way we operate within the parameters of our SOP. I guess they want us to consider what if. I did I look at the risk assessment that the Marines had done to see if something was glaring to me. I thought it was well covered, and we had load masters, and rig-masters in the back of the aircraft. That is why we did the dry runs. That was my check on their check and that was why we went out early and why we did the dry runs. In case there was a problem and the crew saw something that was, "Hey that's going to work", that it all could be worked out before we ever left the ground. That was the whole purpose of sending them out there with those face to faces and those liaisons. Its why it was done. It was a very deliberate approach. It was not just a lets go out there and do it because this is cool. This is your all copy. I will give this to you all and you can read through this.

IO: Do you need a copy?

WIT: I have it all on my computer. But these are all that related to this mission set. I have some stuff on the other mission set and the only reason why I laid that out that way was so that the accident investigation team and the 15-6 team could understand the lay of the land. That it was a deliberate approach to how we were going to do this. Like I said I can't think of a more competent group of crews to send out there than the guys we sent. They were selected specifically because of the experience they had with the operators on prior occasions and the fact that I had an IP and an IE in each cockpit. We wanted to stack ourselves for success. That is the way we did it and why we did it the way we did it. I just hope, honestly that if there are one or two process or procedures that we didn't do right I would like to know what they are. If this could happen to this crew, this could happen to a lot of crews out there. So we owe it and have a moral obligation to figure it out to the Army and the Guard so we can understand what happened to this aircraft. Is there too much faith in this M model? I don't know but there is some questions we have to ask because I would like to understand what internally we didn't do correctly. I would like to understand as an overarching do we have a training issue with this aircraft? Are we training this aircraft right? I just know what I just know about this crew. I know how good this crew was and I don't really have a better crew. I mean who else do I put out there? I have racked my mind over and over with that question, and I know that one thing

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

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STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED 2015/03/20

9. STATEMENT (Continued)

WIT: that I am confident in. I could not have put a better crew out there. Maybe some other state does but I don't. So I want to look at the internal processes. Hey did I screw something up here? What didn't I do right that I should have done? What didn't I do? There is something. There is something I didn't do that I should have done? We have to figure out what that is so we don't make this error and that some other unit doesn't make this error. As far as the training as far as who we were working with, as far as what we were doing, I don't have any issue with that. I plan to continue to do it, unless I am told by higher authorities to stand down. But I am not going to let this horse buck us off, no way. The other thing too that I want you all to know is that that Marine Corps commander reached out and was very complimentary of the professionalism of our crews. That Gunny didn't have to do that. It gave those families some comfort to know that those guys thought they were working with extremely professional and extremely competent crews and that voice mail from that Gunny meant a lot to that family to hear that.

////////////////////////////////////NOTHING FOLLOWS END OF STATEMENT////////////////////////////////////

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 8. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE STATEMENT CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

[REDACTED SIGNATURE]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of March, 2015 at

[REDACTED ADDRESS]

(Signature of Person Administering Oath)
[REDACTED SIGNATURE]
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]