



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
INSTALLATIONS, ENERGY AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON, DC 20310-0111

Mr. Henry Kerner
U.S. Office of Special Counsel
1730 M Street, N.W. Suite 300
Washington, D.C. 20310-0101

DEC 17 2023

SUBJECT: Whistleblower Investigation- Alleged violation of law, rule, or regulation at 20th Chemical Biological, Radiological, Nuclear, Explosives Command (CBRNE), Analytical and Remediation Activity (CARA), Aberdeen Proving Ground, Maryland (Office of Special Counsel File Number DI-23-000639)

Dear Mr. Kerner:

In accordance with Title 5, United States Code, Sections 1213(c) and (d), the enclosed summary report (Report) is submitted in response to your request for an investigation into allegations made in the above referenced case.

The Secretary of the Army (SECARMY) has delegated to me her authority, as Agency head, to review, sign, and submit to you the statutorily required Report. Both redacted and unredacted versions of the Report and the exhibits referenced in the Report are included, along with a redacted and unredacted table of contents (TOC). We request that the unredacted Report, exhibits, and TOC be protected under the Privacy Act. As such, they should not be made available on your website, in your public library, or in any other forum in which it will be accessible to persons not expressly authorized to obtain this information under the Act.

The Army takes very seriously its responsibility to address, in a timely and thorough fashion, matters referred by OSC. In this case, the Army had initiated a comprehensive investigation prior to OSC's referral in response to the allegations submitted by the Whistleblower, [REDACTED] through his supervisory chain of command, which included the same allegations referred by OSC. Specifically, [REDACTED] alleged that supervisory pilot [REDACTED] failed to conduct a required investigation into an aviation safety mishap that occurred on 6 February 2023, that [REDACTED] provided false information to the U.S. Army Combat Readiness Center (USACRC) regarding the incident, and attempted to prevent [REDACTED] who was serving as the CARA Safety Officer, from initiating an independent investigation into the mishap.

An investigation into [REDACTED]'s allegations was directed by the Deputy Commander, 20th CBRNE. [REDACTED] was given the opportunity to provide additional evidence and he provided a statement supplementing his allegations. In total, the investigating officer (IO) investigated 19 specific allegations, and interviewed 16 witnesses, including [REDACTED]. The IO also collected and reviewed numerous documents provided by the witnesses in support of their statements. The IO relied upon these witness statements and supporting documents in reaching his

findings. The IO found that [REDACTED] properly reported the 6 February 2023 mishap and conducted a safety investigation into the mishap. However, the IO determined that Mr. Miller's safety investigation was not completed in accordance with certain requirements of applicable Army regulation. Accordingly, because of the procedural errors in the conduct of [REDACTED]'s investigation, [REDACTED]'s allegation that [REDACTED] failed to conduct a required investigation is partially substantiated. A subsequent investigation in compliance with applicable Army regulation came to substantially the same conclusion as [REDACTED].

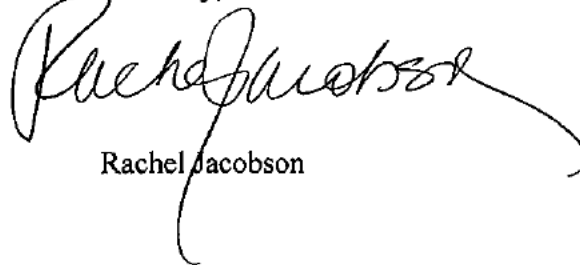
[REDACTED]'s allegation that [REDACTED] falsely informed USACRC that an investigation had been conducted is partially substantiated. In his Abbreviated Aviation Accident Report (AAAR) submitted to the USACRC, [REDACTED] reported that a safety investigation had been completed. Although true, as explained above, it was later determined that the investigation was deficient and had to be reappointed.

Contrary to [REDACTED]'s allegation, the IO determined that [REDACTED] correctly reported [REDACTED]'s duty status at the time of the mishap on 6 February 2023. With respect to [REDACTED]'s allegation that [REDACTED] prevented him from initiating an investigation into the mishap, the IO determined that CARA leadership, in coordination with USACRC, properly decided to remove [REDACTED] from the investigation because he was personally involved as a pilot and his actions were a cause of the damage to the helicopter. Accordingly, the IO found both of these allegations to be unsubstantiated.

Having reviewed the enclosed Report, I am satisfied that a thorough investigation has been conducted in this matter, and the findings, as summarized in the Report, are well supported. I am also satisfied with the sufficiency of the follow-on safety investigation, conducted by an IO assigned to FORSCOM, the higher headquarters of 20th CBRNE. In accordance with Department of Defense Instruction 6055.07, confidentiality of the witness interviews for this safety mishap investigation will be maintained. This is intended to encourage frank and open communication with personnel involved in or witnessing a mishap. Accordingly, I am submitting the Report, with enclosures (both redacted and unredacted), in satisfaction of my responsibilities under 5 U.S.C. §§1213(c) and (d). At this time, the Army has made no referral of alleged criminal violations to the Attorney General pursuant to section 1213(d)(5)(d).

Please direct any further questions you may have regarding this matter to Mr. Joseph A. Fedorko, Office of The Judge Advocate General, at 571-256-2870.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Jacobson", with a long, sweeping flourish extending to the right.

Rachel Jacobson

SUMMARY OF THE REPORT OF INVESTIGATION

Office of Special Counsel Referral File No. DI-23-000639

I. INFORMATION INITIATING THE INVESTIGATION

By correspondence dated 8 June 2023, the Office of Special Counsel (OSC) forwarded to the Secretary of the Army allegations from a whistleblower, [REDACTED], a Pilot and Aviation Safety Officer with the Army's 20th Chemical Biological, Radiological, Nuclear, Explosives Command (CBRNE) Analytical and Remediation Activity (CARA), Aberdeen Proving Ground, Maryland, that CARA personnel had engaged in conduct that constitutes a violation of law, rule, or regulation, an abuse of authority, and a substantial and specific danger to public safety.

OSC provided the facts asserted by [REDACTED] in his complaint and summarized the allegations to be investigated as follows:

(1) Supervisory Pilot [REDACTED] failed to conduct a required investigation into a safety mishap that occurred on 6 February 2023, in which Army Pilot Instructor [REDACTED] caused the helicopter engine to overheat during training, resulting in \$200,000 of damage to the helicopter; and

(2) Thereafter, [REDACTED] attempted to prevent [REDACTED], CARA Safety Officer, from initiating an independent investigation into the mishap and provided false information to the U.S. Army Combat Readiness Center regarding the incident.

(3) Any additional, related allegations of wrongdoing discovered during the investigation of the foregoing allegations.

II. CONDUCT OF THE INVESTIGATION

On 13 June 2023 the Office of the Army General Counsel forwarded the OSC referral to the Commander, 20th CBRNE for appropriate action, including the initiation of an investigation into the allegations pursuant to Army Regulation (AR) 15-6, Procedures for Investigating Officers and Boards of Officers, and the implementation of appropriate corrective actions as necessary.

Subsequent coordination with the 20th CBRNE revealed that on 1 May 2023 [REDACTED] met with 20th CBRNE leadership and presented a memorandum dated 30 April 2023 containing numerous allegations, including allegations which were the same as those referred by OSC. On 2 May 2023, the 20th CBRNE's Deputy Commander, appointed an investigating officer (IO) to determine the validity of [REDACTED] allegations and to make findings concerning whether any wrongdoing occurred, and if so, by whom, and whether adequate policies and procedures are in place to preclude any recurrence of any improprieties, irregularities, or misconduct. The IO commenced

his investigation on 3 May 2023 and interviewed ██████████ on 11 May 2023 and obtained his sworn statement.

Including ██████████, the IO interviewed 16 people and collected and reviewed numerous exhibits concerning the allegations ██████████ raised to OSC and the other allegations included in his 30 April 2023 memorandum.

III. APPLICABLE RULES, REGULATIONS, AND POLICIES

1. Army Regulation (AR) 385-10, The Army Safety Program, paragraph 3-8 requires that persons involved in, or aware of, an Army accident will report it immediately to the commander or supervisor directly responsible for the operation, materiel, or persons involved. Subparagraph 3-8a, further requires the commander or supervisor who first becomes aware of any Class A or Class B Army accident or Class C Army aviation (flight, flight related, and aircraft ground, or UAS) accident, through their chain of command, immediately notify— (1) The immediate commander or supervisor of all personnel involved. (2) The Commander, U.S. Army Combat Readiness Center (USACRC). Subparagraph 3-8a specifies the method and form of notification.
2. AR 385-10 provides guidance for Class C Aviation mishap investigations. Para 3-13 states that accident investigation board appointing authority will ensure that no member of the board has a personal interest in the outcome of the accident investigation. Para 3-15 states that Class C aviation accidents (flight, flight related, aircraft ground, or UAS) will be investigated by a board of at least one member. Para 3-16 states again that members of the investigation board cannot have an interest in the accident that may bias the outcome of the investigation. Para 3-16 also requires that the board president must be senior in grade to the aircraft crewmembers.
3. Department of the Army Pamphlet (DA PAM) 385-40, Army Mishap Investigations and Reporting, provides a concise, standardized set of instructions and procedures to assist in the investigation process and reporting of Army mishaps, as directed by AR 385-10.

IV. FINDINGS

A. OSC REFERRED ALLEGATION 1: Supervisory Pilot ██████████ failed to conduct a required investigation into a safety mishap that occurred on 6 February 2023, in which Army Pilot Instructor Chief Warrant Officer 5 (CW5) ██████████ caused the helicopter engine to overheat during training, resulting in \$200,000 of damage to the helicopter.

██████████, the whistleblower, asserts that on 6 February 2023, during a training mission on which he and ██████████ (as pilot and instructor pilot, respectively) were piloting a helicopter, ██████████ restarted the helicopter engine prior to a complete shutdown, causing the engine to overheat, resulting in an excess of \$200,000 in damage. (OSC Referral, page 2) According to ██████████, he immediately sent a

mishap report to the U.S. Army Combat Readiness Center (USACRC) at Fort Rucker, Alabama, as required by Army Regulation (AR) 385-10, paragraph 3-8(a). [REDACTED] asserts that because the damage to the helicopter totaled \$200,000, the incident was classified as a "Class C safety mishap," and AR 385-10 requires the Command to investigate and complete and submit a report of the investigation to USACRC within 90 days. Because he was both the safety officer and a witness, [REDACTED] states that he asked [REDACTED], the USACRC safety officer/supervisor, how to proceed with the investigation and was advised the Army would appoint an independent investigator outside [REDACTED] and [REDACTED] command to conduct the investigation. (OSC Referral, page 2) When interviewed by the IO [REDACTED] stated that [REDACTED] decided to be the board/sole investigator of the incident, which [REDACTED] believed was improper because a board should not be internal to the organization concerned.

The IO determined that, in accordance with AR 385-10, [REDACTED] notification to USACRC of the mishap was complete via email to the chain of command on 9 February 2023 which was forwarded to USACRC by [REDACTED] who was also the POC for questions. (Tab A) The IO determined that, subsequently, on or about 25 April 2023, [REDACTED] (CARA Director), [REDACTED] (20th CBRNE Risk Management Team Director), [REDACTED] (Deputy 20th RMT Director), [REDACTED] (CARA Safety Specialist), [REDACTED] (Operations Director, CARA) and [REDACTED] had a meeting with [REDACTED] from the USACRC to discuss the safety investigation into the 6 February 2023 mishap and determine a path forward to close out this investigation. During this meeting, all parties agreed that [REDACTED] had to be removed from the investigation because he was personally involved in the incident as a crew member. Additionally, they decided [REDACTED] would be appointed the Board of One/Investigator for a Class C DA Form 2397-AB, Abbreviated Aviation Accident Report (AAAR) for the mishap that occurred on 6 February 2023. This decision was endorsed by [REDACTED].

[REDACTED] conducted an investigation into the 6 February 2023 mishap and completed the AAAR. (Tab D) He determined that [REDACTED] actions of accidentally pressing the detent and rolling the controls into the idle settings initiated the conditions for the over-tempering the engines, thus contributing to the mishap. These conditions were exacerbated by [REDACTED] incorrect actions to try to increase the throttle causing definite damage to the engine due to overheating. (Tab D) During the course of his investigation, [REDACTED] requested sworn statements from witnesses to supplement the initial verbal statements that were taken by [REDACTED] immediately following the incident. However, [REDACTED] refused to provide a sworn statement to [REDACTED].

The IO found that [REDACTED] properly reported the mishap via email on 9 February 2023 to the 20th CBRNE G33 (Chief of Current Operations), [REDACTED], [REDACTED], [REDACTED] (20th CBRNE Watch Officer), as well as [REDACTED]. The IO found that this report demonstrated there was no attempt to cover up the mishap or the classification of the aviation accident. However, the IO did observe that the email was

not sent to the 20th CBRNE CMD Operations Box email address which hampered awareness across the 20th CBRNE CMD HQs.

The IO determined that [REDACTED] investigation concerning the 6 February 2023 mishap was not completed in accordance with the requirements of AR 385-10 and DA PAM 385-40. Specifically, the IO identified the following errors in the investigation: a) [REDACTED] was not appointed in writing by the correct appointing authority as the Board of One for the Class C Aviation Accident that occurred 6 February 2023 in violation of paragraph 3-14.b.(1); b) there is a perception that [REDACTED] could have a personal interest in the outcome of the investigation, so an outside neutral party should have been identified to assist; c) according to DA PAM 385-40, paragraph 2-3(b), preliminary witness statements should not be made under oath. [REDACTED] requested sworn statements from [REDACTED] and [REDACTED]. However, prior to obtaining statements from the witnesses, [REDACTED] should have provided them a general witness briefing which clearly states that the purpose of a safety investigation and that witness statements cannot be used for any disciplinary action.

The IO determined that the 20th CBRNE RMT guidance to CARA HQ was inadequate. The errors in the investigation demonstrate that the 20th CBRNE RMT lacks the aviation subject-matter expertise to properly advise the 20th Commander and CARA Director on proper actions to take when an aviation mishap occurs.

In light of the IO's determination that [REDACTED] investigation was insufficient and based upon the IO's recommendation, on 26 June 2023 the 20th CBRNE Commanding General, [REDACTED], appointed [REDACTED] from FORSCOM Aviation to conduct an investigation into the 6 February 2023 mishap. On 28 and 29 June 2023, [REDACTED] conducted witness interviews, including an interview with [REDACTED]. [REDACTED] provided a final write-up of his findings on 14 July 2023, and on 1 August 2023 the Class C Accident Report was submitted and accepted by USACRC.

The allegation that [REDACTED] failed to conduct a required investigation into the safety mishap that occurred on 6 February 2023 is partially substantiated. Although [REDACTED] conducted an investigation, it did not satisfy the requirements of AR 385-10 and DA PAM 385-40. As stated above, the subsequent safety investigation was conducted by a neutral individual, [REDACTED], selected by FORSCOM from its Aviation Section. [REDACTED] reached the same conclusion as [REDACTED] as to the cause of the accident.

B. OSC REFERRED ALLEGATION 2: [REDACTED] attempted to prevent [REDACTED], CARA Safety Officer, from initiating an independent investigation into the mishap and provided false information to USACRC regarding the incident.

(1) [REDACTED] attempted to prevent [REDACTED], CARA Safety Officer, from initiating an independent investigation into the mishap.

[REDACTED] asserts that [REDACTED] repeatedly directed him to refrain from initiating any investigation. (OSC Referral, page 2) In his 30 April 2023 memorandum, [REDACTED]

██████████ states that on 21 April 2023, ██████████ told him, with respect to the mishap that occurred on 6 February 2023, “stop the investigation and send the AAAR as I told you to”. ██████████ stated “I feel like I am being ordered by ██████████ to break the law while under duress.”

As set forth above, although ██████████ initially identified ██████████ as the POC on the USACRC report, during the meeting on 25 April 2023 attended by the CARA Director, the CARA Safety Specialist, and a USACRC representative among others, all parties agreed that ██████████ had to be removed from the investigation because he was personally involved in the incident as a pilot and that ██████████ would investigate the incident. When interviewed by the IO, ██████████ denied he directed ██████████ not to pursue the safety investigation or falsify information in the AAAR regarding the 6 February 2023 incident. Notably, as relayed in the OSC referral, ██████████ acknowledges that ██████████ told him he could not investigate the 6 February mishap because he was a witness to the event. (OSC Referral, page 2) The IO found no evidence to support ██████████ allegation that ██████████ tried to intimidate him into stopping an investigation. Rather, the IO found the decision to remove ██████████ from the conduct of the investigation was because of his involvement as a pilot in the mishap, not taken in an effort to impede or prevent the investigation. The IO determined this decision was proper.

The IO concluded that the allegation that ██████████ attempted to prevent ██████████ initiating an independent investigation into the 6 February 2023 mishap is unsubstantiated.

(2) ██████████ provided false information to the USACRC regarding the incident.

██████████ asserts that ██████████ sent him a completed AAAR containing incorrect statements about the incident, in particular, confirming that an investigation had occurred when it had not. ██████████ also asserts that ██████████ also directed him to forward the form to USACRC, but that he refused to do so because the Command had not completed an investigation, and the form may only be sent to the USACRC following an investigation. (OSC Referral, page 2) In his 30 April 2023 memorandum, ██████████ states that ██████████ told him to annotate in the AAAR ██████████ pilot’s job designation as Department of the Army Civilian (DAC) not as a member of the National Guard and also to use CARA Aviation Unit Identification Code (UIC). ██████████ stated that he believed this is wrong because ██████████, does not work in CARA Aviation; he works for ATC Philip Army Airfield where he flies UH60 helicopters, not UH72s. ██████████ also asserts that he is being coerced by his supervisor to submit falsified documentation stating that he is to blame for the mishap on 6 February 2023.

██████████ allegation that the AAAR incorrectly indicated that an investigation had been completed is partially substantiated. At the time the AAAR was completed, ██████████ had concluded his Class C mishap investigation, however as explained above, his investigation was later determined to be procedurally deficient. However, there is no

indication that the content of the AAAR was false. ██████ reached the same conclusion as ██████ as to the cause of the accident. Of note, effective 24 July 2023, the DA Form 2397-AB (Abbreviated Aviation Accident Report) is no longer in use.

With respect to ██████ allegation that ██████ status was incorrect on the AAAR, the IO determined that a Memorandum of Agreement between U.S. Army Aberdeen Test Center (ATC), Maryland Army National Guard (MDARNG), United States Army Garrison Aberdeen Proving Ground (USAGAPG), and 20th CBRNE for Phillips Army Airfield (PAAF) was signed by all parties on or before 10 June 2022. ATC and 20th CBRNE CMD agreed to, "Provide inter-agency exchange of crewmembers with both MDARNG and CBRNE for the purpose of evaluations, training, and instruction and aircraft movements. Both agencies delegate authority and responsibility to the agency that owns the aircraft utilizing the Risk Common Operating Picture (R-COP) Army Aviation Risk Assessment Worksheet (RAW) being used to conduct the evaluations, training, instruction, or aircraft movement." (Tab E) ██████, a civilian employee of ATC as well as a Nation Guard CW5, does have a Commander's Task List for the UH-72A, signed by ██████ dated 1 March 2023 (Tab C). The IO determined that ██████ correctly identified ██████ as a DAC because, according to the MOA between ATC and 20th CBRNE CMD, he was operating within his duties as an ATC pilot with proper rating and has a Commander's Task List identifying his additional aircraft on which he is certified.

The IO concluded that the allegation that ██████ provided false information to the USACRC regarding ██████ status is unsubstantiated.

(3) ██████ removed ██████ from his position as Safety Officer as well as his access to electronic safety investigative records.

██████ asserts that ██████ removed him from his position as Safety Officer as well as his access to electronic safety investigative records. (OSC Referral, page 2) In his 30 April 2023 memorandum, ██████ asserts that on 25 April 2023, ██████ and ██████ met and afterwards directed ██████ to remove ██████ from the ASMIS website and block his access, thereby preventing him from performing his duties as an Aviation Safety Officer as a means of retaliation.

As set forth above, although ██████ initially identified ██████ as the POC on the USACRC report, during the meeting on 25 April 2023 attended by the CARA Director, the CARA Safety Specialist, and a CRC representative among others, all parties agreed that ██████ had to be removed from the investigation because he was personally involved in the incident as a pilot and that ██████ would investigate the incident. As a consequence of this decision concerning this single investigation, on 26 April 2023, ██████ received an email generated from ASMIS 2.0 that ██████ removed him as a Reviewer or CC Recipient in the ASMIS 2.0 Mishap and Near Miss Reporting tool. (Tab B) ██████ explained that the intent was to remove ██████ access only to the AAAR for the 6 February 2023 mishap. ██████

confirmed to the IO that [REDACTED] status in ASMIS 2.0 has not changed since 23 January 2023.

The IO concluded that the allegation that [REDACTED] removed [REDACTED] from his position as Safety Officer and revoked his access to electronic safety investigative records is unsubstantiated.

C. OSC REFERRED ALLEGATION 3: Any additional, related allegations of wrongdoing discovered during the investigation of the foregoing allegations.

As stated above, in his memorandum of 30 April 2023, [REDACTED] made numerous additional allegations, unrelated to those referred by OSC. The IO investigated all his allegations, making findings and recommendations on all except one which is the subject of an ongoing criminal investigation.

V. INVESTIGATING OFFICER'S RECOMMENDATIONS

Based on his findings, the IO, recommended, with respect to the allegations raised to OSC, that:

1. Commander, 20th CBRNE, request an additional 30-day extension to the safety investigation and request USACRC/FORSCOM to provide a non-biased Board of One/Investigator to complete the investigation into the Class C accident that occurred on 6 February 2023 and DA Form 2763 AB report.
2. The 20th CBRNE RMT send a primary and alternate representative to the Aviation Safety Officer's Course to train personnel to advise the RMT Director, CARA Director and Commander when an aviation accident occurs and provide oversight and assistance for CARA AVN. CARA should not rely solely on FORSCOM Aviation Resource Management System (ARMS) to assess CARA AVN.
3. The 20th CBRNE CMD with CARA AVN Safety assistance develop a plan/battle drill to identify all actions and responsibilities for reacting when an aviation accident occurs and a tracking mechanism for completed actions. This battle drill must be provided to G3 Current Operations to be able to track all actions required to address aviation accidents and assist CARA with proper support from the 20th CBRNE CMD.
4. The 20th CBRNE RMT reassess and make recommendation to Commander or Designated Representative on the appointment authority for Class C and below aviation accident boards. The current appointment authority is the CARA Director. The CARA Director will likely appoint the CARA AVN Chief as the Accident Board if they are not involved in the accident. A perception exists that the CARA AVN Chief may be biased and have an interest in the outcome of the investigation and bring into question potential violation of regulatory requirements.

VI. APPROVING AUTHORITY'S ACTIONS

On 6 July 2023, the Commander, 20th CBRNE, approved the IO's findings and recommendations. All recommendations of the IO have either been implemented or are in the process of being executed.

Office of Special Counsel Referral File No. DI-23-000639
Agency Report of Investigation Table of Exhibits

<u>TAB</u>	<u>DESCRIPTION</u>
TAB A	Email and Mishap Report - 9 February 2023
TAB B	Email ASMIS Review Removal - 26 April 2023
TAB C	DA Form 7120 – Commander’s Task List (ATC), [REDACTED] – 1 March 2023
TAB D	DA Form 2397-AB, Draft Abbreviated Aviation Accident Report (AAAR)
TAB E	Memorandum of Agreement (ATC-APG-MDARNG-CBRNE)

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: 72116
Date: Thursday, February 9, 2023 3:17:15 PM
Attachments: [mishap_202302061022.pdf](#)

Sir,

The attachment is the copy of the initial telephone report called into the CRC (Combat Readiness Center, Ft. Rucker, AL). Based on the call and the information we provided to the center. It has been determined to be a Class C incident. We CARA Aviation Section now have 90 days to complete and submit a final report on this incident.

Please direct any question or concerns to [REDACTED]

Thank you

[REDACTED]
Aviation Section Chief
CBRNE Analytical & Remediation Activity (CARA)
Bldg.1060 Phillips Army Airfield
Aberdeen Proving Ground, MD 21005-5001
Primary # Gov't Cell [REDACTED]
Desk: [REDACTED]
Email: [REDACTED]



MISHAP & NEAR MISS REPORTING

Case Number	202302061022	Page No	1 / 3
Notification Details			
Category	Aviation - Manned - Flight		
Date of Mishap (MM/dd/yyyy)	02/06/2023		
Time of Mishap (HHMM)	0925		
Mishap ID	37319		
Source	Initial Notification		
Total Cost	\$0		
Individual submitting the Initial Notification			
Last Name	[REDACTED]		
First Name	[REDACTED]		
Middle Name			
DSN	[REDACTED]		
Commercial Phone Number	[REDACTED]		
Position/Title	Pilot/ ASO		
Point of Contact for Initial Notification			
Are you the POC for this Initial Mishap Notification?	Yes		
Mishap Details			
Period of Day	Day		
Mishap Classification	C		
Mishap Duty Status	On Duty		
UIC of the unit responsible for this mishap	W6NHC0		
Did the mishap occur on post?	Yes		
Installation/Nearest Installation	Aberdeen Pvg Grds, MD (24004)		
Provide a specific description of where mishap took place	Philip Army Airfield, APG, MD		
State	Maryland		
Country	United States		
Nearest Commercial Airport	KMTN		
Primary Event	Other		
Description of Primary Event	Engine Overheat		
Mission Type	Training		
Was this a multi-aircraft mishap?	No		
Aircraft Serial Number	09-72116		
Aircraft MTDS	UH-72A		
Night Vision Device in Use?	No		

Case Number	202302061022	Page No	2 / 3
Digital Collector Type	Maintenance Data Recorder (MDR), Smart On Board Data Interface Module		
Explosives, Hazardous/Sensitive Materials involved?	No		
Is the mishap site secured IAW 385-10?	Yes		
Personnel Involved/Injuries			
Personnel Involved			
U.S. Army Military - Enlisted	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury :		
U.S. Army Military - Warrant Officer	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury :		
U.S. Army Military - Commissioned Officer	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury :		
Other DoD Military	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury :		
DoD Civilian - U.S. Army Civilian	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury : 2		
DoD Civilian - Other DoD Civilian	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury :		
Other/Non-DoD	Fatal : Non-Fatal : Permanent Total Disability: Permanent Partial Disability : Less Severe Injury : No Injury :		
Total No. of Personnel	2		

Case Number	202302061022	Page No	3 / 3
Fatalities	0		
Non-Fatal Injuries	0		
Estimated cost of damages (Note: Only include cost of damages to Government owned equipment or damage that occurred as a result of Army Operations.)	188394		
Highest Rank Directly Involved in Mishap	DAC		
Please provide a brief description of the mishap including equipment involved and the extent of injuries and/or damage. (Note: Do not include personally identifiable information such as names or SSNs.)	During Training Collar initial setup, the # 2 engine was rolled beyond idle detent. To correct, # 2 engine throttle rolled back up to the fly position causing the TOT to exceed 920 degrees according to aircraft parameters. Normal engine shutdown with no further issues.		

From: [REDACTED]
Sent: Tuesday, May 16, 2023 3:01 PM
To: [REDACTED]
Subject: FW: UIC Hierarchy Reviewer Removal

Sir,

This was the email for, [REDACTED]. I would like to know who initiated this administrative action and the pretense for this apparent unwarranted action.

V/r,

[REDACTED]
Aviation Safety Officer
CBRNE Analytical & Remediation Activity (CARA)
Bldg.1060 Phillips Army Airfield
Aberdeen Proving Ground, MD 21005-5001
w: [REDACTED]
c: [REDACTED]

From: [REDACTED]
Sent: Wednesday, April 26, 2023 11:39 AM
To: [REDACTED]
Subject: UIC Hierarchy Reviewer Removal

Hello [REDACTED],

You have been removed as a Reviewer or CC Recipient within the ASMIS 2.0 Mishap and Near Miss Reporting tool for the UIC shown below.

Unit Identification Code (UIC): W6NHAA
UIC Abbreviation: W6NH USA CBRNE ACTIVITY
UIC Long Name: US ARMY CBRNE ANALYTICAL AND REMEDIATION ACTIVITY (W6NHAA)
Removed By: [REDACTED]

Click here to login to the Mishap and Near Miss Reporting tool.
[Mishap and Near Miss Reporting Tool](#)

This email was generated by the ASMIS 2.0 Mishap and Near Miss Reporting tool.

COMMANDER'S TASK LIST

For use of this form see TC 3-04.11; the proponent agency is TRADOC.

AUTHORITY: Title 5, USC, Section 301

PRINCIPAL PURPOSE(S): To track Aircrew Members' Flight Records

ROUTINE USES: Information furnished may be disclosed within DoD only, to officials or employees who need this information to perform their official duties.

DISCLOSURE: Voluntary. Disclosure of birth month is voluntary; however this form will not be processed without the Aircrew Member's birth month.

PART I BIOGRAPHICAL

Name: [REDACTED] Rank: DAC DoD ID: [REDACTED] Birth Month: [REDACTED] FAC: N/A
 Duty Title: Standardization Pilot Aircraft Type: UH-72A Primary Additional Alternate

PART II AUTHORIZED FLIGHT DUTIES/STATIONS

	CP	PI	PC	UT	IP	IE	SP	MP	ME	XP	MO	Remarks
Right/Back Seat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Left/Front Seat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cabin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NVG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NVS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART III FLYING-HOUR REQUIREMENTS

	Annual	First Period	Second Period	Remarks/Adjustment
Dates	01 Mar 2023-29 Feb 2024	01 Mar 2023-31 Aug 2023	01 Sep 2023-29 Feb 2024	
Total Aircraft Hours				
Total Simulator Hours				
Night Unaided Hours				
NVG Hours				
Hood/Weather Hours				
Other Hours (Specify)				
Other Hours (Specify)				

PART IV. ANNUAL REQUIREMENTS

	Designated Period (AC/USAR) or Qtr (ARNG)	Remarks/Date Completed
Standardization Flight Evaluation		
Instrument Flight Evaluation		
Operator's Manual Written Examination		
NVG Flight Evaluation		
Maintenance Test Flight Evaluation		
ACT		
CBRN		
CBAT		
ROC-V		
Other (Specify)		
Other (Specify)		

PART V. CERTIFICATION

This form, its enclosure(s), and the aircrew training manual establish your Aircrew Training Program requirements.

Commander: [REDACTED] DAC, AV Signature: [REDACTED] Date: 1 Mar 2023

I certify that I have read and understand my ATP requirements contained on this form, its enclosure(s), and the aircrew training manual.

Crew Member's Signature: [REDACTED] Date: 1 Mar 2023

ABBREVIATED AVIATION ACCIDENT REPORT (AAAR)
FOR ALL CLASS C, D, E, F, COMBAT A AND B, AND ALL AIRCRAFT GROUND
 For use of this form, see DA Pamphlet 385-40; the proponent agency is OCSA.

REQUIREMENTS CONTROL SYMBOL
 CSOCS-309

COMPLETE BLKS 1-18 FOR ALL ACDTs. NO FURTHER ENTRY IS REQUIRED FOR CLASS D, E, AND F ACDTs NOT INVOLVING HUMAN ERROR/INJURY.

1. DATE/CASE NO. OF ACCIDENT 20230206				a. (YYYYMMDD)		b. Time (Lcl) 925		c. Acft Ser No. 72116		2. a. Classification <input type="checkbox"/> A <input type="checkbox"/> B <input checked="" type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F b. Category <input checked="" type="checkbox"/> Flight <input type="checkbox"/> Flight Related <input type="checkbox"/> Acft Ground <input type="checkbox"/> UAS									
3. TYPE OF ACFT (MTDS) UH-72			4. PERIOD OF DAY <input type="checkbox"/> Dawn <input checked="" type="checkbox"/> Day <input type="checkbox"/> Dusk <input type="checkbox"/> Night		5. NO. ACFT INVOLVED 1		6. NEAREST MIL INSTALLATION APG												
7. ACCIDENT LOCATION		a. <input checked="" type="checkbox"/> On-Post <input type="checkbox"/> Off-Post		b. <input checked="" type="checkbox"/> On Airfield <input type="checkbox"/> Not on Airfield		c. City (Nearest to acdt site) APG		d. State MD		e. Country (If not USA)		f. Grid or Lat./Long. 39.469661, -76.168257							
8. ORGANIZATION INVOLVED																			
a. Name of Unit CARA Aviation 20th CBRNE					b. UIC (6 Digit Unit Id Code) W6NHAA			c. Home Station Aberdeen Proving Ground			d. Army HQ FORSCOM								
9. ORGANIZATION DEEMED ACCOUNTABLE (If same as block 8 leave blank)																			
a. Name of Unit 20th CBRNE					b. UIC (6 Digit Unit Id Code)			c. Home Station Aberdeen Proving Ground			d. Army HQ FORSCOM								
10. ESTIMATED ACCIDENT COST																			
a. Acft Total Loss <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				b. Acft Damage (Excl man hr) \$ 182,220		c. No. Man Hrs 293		d. Man Hrs \$ 19,585		e. Other Damage Mil \$		f. Civilian Damage \$		g. Injury Cost \$		h. Total (This acft) \$ 201,805		i. Total (All acft) \$	
11. GEN. DATA		a. Msn		(1) Type (Tng. Svc, etc.)		(2) <input checked="" type="checkbox"/> Single-ship <input type="checkbox"/> Multi-ship		b. Flight Plan <input type="checkbox"/> NA <input checked="" type="checkbox"/> VFR <input type="checkbox"/> IFR		c. Digital Source Collector Installed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Specify type				d. Night Vision Device/System In use <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Specify type					
e. Fire <input checked="" type="checkbox"/> None <input type="checkbox"/> Inflight <input type="checkbox"/> Postcrash <input type="checkbox"/> Other		f. Flammable Fluid Spillage (If "Yes" for Class A, B, and C acdts, attach DA Form 2397-6) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						g. Field Training Exercise (FTX) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Name of FTX											
12. FLIGHT DATA		Flight Duration		Phase of Operation (Enter max of 3 codes from Table 3-4 of DA Pam 385-40 or specify phase (e.g., hover, NOE, etc.))				Altitude AGL		Airspeed KIAS		Aircraft Weight		Overgross for Conditions Yes No		13. TYPE EVENTS (Enter max 3 codes from Table 3-2 DA Pam 385-40 or specify type event which best describes the acdt/incdt, e.g., tree strike, generator failure, eng overspeed, hard landing fuel exhaustion, dropped cargo, oil cooler bearing failure, etc.) 47			
a. At Emergency		Hours Tenth										<input type="checkbox"/> Yes <input type="checkbox"/> No							
b. At Impact/Acft or Termination		Hours Tenth										<input type="checkbox"/> Yes <input type="checkbox"/> No							
14. ACCIDENT CAUSE FACTORS (Enter D, S, or U to identify Definite, Suspected, or Undetermined causes)				a. Human Error (If D or S complete blks 21, 23, & 24)				b. Materiel Failure/Malfunction (Includes mfg/design induced failures)(If D or S complete blk 16)				c. Environmental (If D or S Complete blk 17)							
15. SUMMARY (Enter summary of acdt sequence from onset of emergency through termination of flight. For Class D, E, and F, include the type of materiel failure and/or environmental factors.) During Training Collar initial setup, the # 2 engine was rolled beyond idle detent. To correct, rolled back up to fly causing the TOT to go up to 1100 degrees according to aircraft parameters page. Normal engine shutdown with no further issues.																			
16. COMPONENT AND PART FAILURE/MALFUNCTION DATA (part that initiated failure/malfunction.)												17. ENVIRONMENTAL (Chk conditions at time of acdt.)							
Identification		Major Component				Part						a. General (1) <input type="checkbox"/> IMC (2) <input checked="" type="checkbox"/> VMC (3) <input type="checkbox"/> Unknown							
a. Nomenclature												b. Environmental Conditions							
												(1) Weather Conditions			(2) Other Conditions				
b. Type, Design, and Series												(a) Hail		(a) Animals					
												(b) Sleet		(b) Fowl					
c. Part Number												(c) Fog		(c) Surface					
												(d) Drizzle		(d) Noise					
d. NSN												(e) Rain		(e) Chemicals					
												(f) Snow		(f) Radiation					
e. Manufacturer's Code												(g) Lightning		(g) Glare					
												(h) Thunderstorm		(h) FOD					
f. Part Serial No.												(i) Gusty Winds		(i) Temperature					
												(j) Freezing Rain		(j) Vibration					
g. Cause Failure/Malfunction		(1) <input type="checkbox"/> Materiel (2) <input type="checkbox"/> Maintenance		(3) <input type="checkbox"/> Design (4) <input type="checkbox"/> Manufacture		FGCODE (USACRC)		TYPEFL		CAUFL		(k) Other		(k) Dust					
												c. Acft Icing <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		d. Turbulence <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
18. BOARD PRESIDENT/ASO/POC (Name, Signature, and Date)						Grade		Branch				Address and Tel No. (DSN and Com),							
						E-Mail													

COMPLETE BLKS 19 - 26 FOR ALL CLASS C, COMBAT CLASS A, B, ACFT GROUND CLASS A, B, C, AND ALL CLASS ACDTs INVOLVING HUMAN ERROR/INJURY.

19. MOON ILLUMINATION DATA (For night Class A, B, or C acdts. If blk a is "no", no other entry is required.)

a. Moon Above Horizon <input type="checkbox"/> Yes <input type="checkbox"/> No	b. Moon Visible <input type="checkbox"/> Yes <input type="checkbox"/> No	c. Moon (Degrees Above Horizon) _____	d. Percent of Moon Illumination _____ %	e. Moon (Clock Position from Flight Path/Nose of Act) _____
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20. WIRE STRIKE DATA (If "no" in blk a, no other entry is required)

a. Wire Strike <input type="checkbox"/> Yes <input type="checkbox"/> No	b. WSPS Installed <input type="checkbox"/> Yes <input type="checkbox"/> No	c. WSPS Engaged Wire <input type="checkbox"/> Yes <input type="checkbox"/> No	d. WSPS Cut Wire <input type="checkbox"/> Yes <input type="checkbox"/> No	e. WSPS Functioned as Designed <input type="checkbox"/> Yes <input type="checkbox"/> No	f. Wires Struck No. _____ Dia (inches) _____
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21. PERSONNEL DATA (Complete for each crew member with access to flight controls or other personnel injured or having a contributing role in the accident; use additional forms as needed)

a. Name (last, first, MI)		(1) SSN	(2) Grade DAC	(3) Gender M	(4) Duty	(5) SVC	(6) UIC (Assigned)	(7) Contributing Role <input type="checkbox"/> D <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> U	
(8) On Fit Controls <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	(9)(a) Lab Test <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	(9)(b) Results <input type="checkbox"/> Pos <input type="checkbox"/> Neg	(10) Activity (Last 24 Hrs)	(a) Hrs Slept 8 (b) Hrs Worked 1	(c) Hrs Flown	(11) (a) RL <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 (b) FAC <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 (c) DATE Redeployed from Combat Zone	(12) Injury (If "yes" complete DA Form 2397-9) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(13) Total Flight Hours (acdt MTDS)	(14) Total Flight Hours
b. Name (last, first, MI)		(1) SSN	(2) Grade DAC	(3) Gender M	(4) Duty	(5) SVC	(6) UIC (Assigned)	(7) Contributing Role <input type="checkbox"/> D <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> U	
(8) On Fit Controls <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(9)(a) Lab Test <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	(9)(b) Results <input type="checkbox"/> Pos <input type="checkbox"/> Neg	(10) Activity (Last 24 Hrs)	(a) Hrs Slept 8 (b) Hrs Worked 1	(c) Hrs Flown	(11) (a) RL <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 (b) FAC <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 (c) DATE Redeployed from Combat Zone	(12) Injury (If "yes" complete DA Form 2397-9) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(13) Total Flight Hours (acdt MTDS)	(14) Total Flight Hours
c. Name (last, first, MI)		(1) SSN	(2) Grade	(3) Gender	(4) Duty	(5) SVC	(6) UIC (Assigned)	(7) Contributing Role <input type="checkbox"/> D <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> U	
(8) On Fit Controls <input type="checkbox"/> Yes <input type="checkbox"/> No	(9)(a) Lab Test <input type="checkbox"/> Yes <input type="checkbox"/> No	(9)(b) Results <input type="checkbox"/> Pos <input type="checkbox"/> Neg	(10) Activity (Last 24 Hrs)	(a) Hrs Slept (b) Hrs Worked	(c) Hrs Flown	(11) (a) RL <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 (b) FAC <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 (c) DATE Redeployed from Combat Zone	(12) Injury (If "yes" complete DA Form 2397-9) <input type="checkbox"/> Yes <input type="checkbox"/> No	(13) Total Flight Hours (acdt MTDS)	(14) Total Flight Hours

22. IMPACT/PROTECTIVE/ESCAPES/SURVIVAL/RESCUE DATA (For Class A, B, and C acdts)

a. Acft Occupiable Space Compromised (If "yes" DA Form 2397-6 is required) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	b. Escape/Survival Difficulties (If "yes" DA Form 2397-10 required for the individual) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	c. Protective/Restraint Equip Functioned as designed (If "no" DA Form 2397-10 required for the individual) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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23. ACFT CAUSE FACTORS (Blk 24 must support all cause factors checked; See DA Pam 385-40 for definition of cause factors)

a. <input type="checkbox"/> Training Failure (Stds exist but not known or ways to achieve them not known)	b. <input type="checkbox"/> Standards Failure (Stds not clear, practical, or do not exist)	c. <input type="checkbox"/> Leader Failure (Stds are known but not enforced)	d. <input checked="" type="checkbox"/> Individual Failure (Stds known but not followed)	e. <input type="checkbox"/> Support Failure (Inadequate equip/facilities/svcs/no or type personnel)
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24. FINDINGS AND RECOMMENDATIONS (See instructions in DA Pam 385-40 for writing findings and recommendations. Use additional sheet if required)

STACOM 22-06 UH-72 OEI Training Collar Task: 1. Instructor Pilot briefed pilot on Training Collar setup. 2. Pilot on controls pressed the idle release button and rolled throttle towards off position, which wasn't briefed. 3. Instructor Pilot saw and heard engine trending down towards off and incorrectly rolled throttle above idle stop position. This action resulted in fuel being added which quickly spiked the TOT up to 1100 degrees. 4. From this point aircraft was shut down on the spot with appropriate write ups in the Logbook. Aircraft towed back to hanger as this occurred on the airfield KAPG. Corrective action's: Instructor pilot reviewed Collar setup with other UH-72 Instructor pilots. Learning that IP's read the Collar Setup steps and have the pilot being trained install the training collar. Our IP developed a Collar set up check sheet. Then came to me the CARA Aviation Section Chief with the recommendation to repeat all academic training for all five crew-members requiring training as outlined in the Safety Message which required Collar Training. Then to fly with me the Section Chief first to validate his checklist and risk mitigation on this task. After we completed this training flight, we conducted an AAR and both of us could see the increased safety margin by having the crew-member install the Training Collar as the IP monitored and read the checklist for installation. As of 1 March 2023, all training has been completed and documented. Aircraft has undergone inspections, repairs and returned to service.

USACRC Use only	Duty	Role	Failure/error Code	SI 1	RM 1	RM 2	RM 3
	Phase of OP	Task/part no.		SI 2	RM 1	RM 2	RM 3

25. LIST OF ATTACHMENTS (CCAD, DA Forms 2397-4, 8, 9, etc.)
n/a

26. COMMAND REVIEW (Required for Class A and B combat and all Class C acdts. Use separate sheet for nonconcurrency, additional findings, and recommendations.)

REVIEWER	Organization	Name (Typed/Printed)	Rank	Signature	Comments
a. Unit Commander	20th CBRNE CARA Aviation		GS14		<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Non-concur
b. Reviewing Official					<input type="checkbox"/> Concur <input type="checkbox"/> Non-concur
c. Approving Authority					<input type="checkbox"/> Concur <input type="checkbox"/> Non-concur
d. DA Review	USACRC				Approved for entry into ASMIS (YYYYMMDD)

MEMORANDUM OF AGREEMENT
BETWEEN
U.S. ARMY ABERDEEN TEST CENTER (ATC)
AND
MARYLAND ARMY NATIONAL GUARD (MDARNG)
AND
U.S. ARMY GARRISON ABERDEEN PROVING GROUND (USAGAPG)
AND
20th CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, EXPLOSIVES (CBRNE)
Agreement Number 22-127

SUBJECT: Memorandum of Agreement (MOA) 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

This is an MOA between ATC, MDARNG, USAGAPG, and 20th CBRNE. When referred to collectively, ATC, MDARNG, USAGAPG, and 20th CBRNE are referred to as the “Parties.”

1. BACKGROUND: ATC has been delegated operational control of PAAF by Department of the Army (DA) G3. ATC would like to establish a mutual partnership with the tenant activities, MDARNG and 20th CBRNE as well as the real property owner, USAGAPG, in working together to meet the airfield operations, sustainment and training needs of each organization.

2. REFERENCES:

a. Memorandum of Understanding (MOU) the U.S. Army Aberdeen Test Center and the Maryland Army National Guard (MDARNG), Subject: Memorandum of Understanding (MOU) Agreement # 22-155 between ATC and MDARNG to Define Duties and Responsibilities for MDARNG Aviation Operations in Restricted Area R-4001A/B/C, 12 May 22.

b. Memorandum of Agreement (MOA) between the U.S. Army Aberdeen Test Center and the Maryland Army National Guard (MDARNG), Subject: Memorandum of Agreement #18-128 between ATC and MDARNG to define duties and responsibilities for the PAAF air traffic personnel, 5 Oct 18.

c. U.S. Army Garrison Aberdeen Proving Ground Common Levels of Support (CLS) and Reimbursable Services Catalog.

3. PURPOSE: This memorandum establishes the relationship between ATC, MDARNG, USAGAPG and 20th CBRNE. It outlines the duties and responsibilities for the airfield operations, sustainment, and training support of all parties relating to PAAF.

SUBJECT: Memorandum of Agreement 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

4. RESPONSIBILITIES OF THE PARTIES:

4.1 ATC will:

4.1.1. Manage and operate PAAF Monday through Friday 0600 and 1800 (with the exception of Federal holidays). After-hours and weekend operations are available on a customer/tenant cost reimbursable basis. After-hours Operational Support Airlift (OSA) support will be cost reimbursable or overhead as needed. ATC is non-operational on Sundays unless approved by the ATC Commander. [Note: All operations on Ranges and Test Courses, including testing at PAAF, must be coordinated with ATC scheduling]. Airfield base operations are 0600 - 1800 Monday through Friday (with the exception of Federal holidays) and the air traffic control tower is operational 0800 - 1600 Monday through Friday (with the exception of Federal holidays).

4.1.2. Provide operational support for tenant and transient flight operations to include: air traffic control, base operations, aircraft refuel, transient alert and dispatch, flight planning, and weather observation services.

4.1.3. Provide helicopters and aircrew (capable of aerial fire suppression) to support range, test, training, security, emergency, and other authorized operations.

4.1.4. Assist other tenants as necessary with training, testing, and airfield operations. [Note: The USAGAPG and ATC Regulations require Range Operations to be manned when firing and certain other activities are conducted.]

4.1.5. Provide training support for MDARNG air traffic controller training. The ATC Commander will notify the PAAF control tower supervisor of training conflicts no later than 48 hours prior to the scheduled training.

4.1.6. Provide inter-agency exchange of crewmembers with both MDARNG and CBRNE for the purpose of evaluations, training, and instruction and aircraft movements. Both agencies delegate authority and responsibility to the agency that owns the aircraft utilizing the Risk Common Operating Picture (R-COP) Army Aviation Risk Assessment Worksheet (RAW) being used to conduct the evaluations, training, instruction, or aircraft movement.

4.1.7. Authorize MDARNG operations inside R-4001 for the purposes of conducting aviation operations at Weide Army Helipad (WAHP), PAAF, and Lauderick Creek & APG South (Edgewood) Designated Terrain Flight Training Area (Airspace R-4001C integrated into R-4001A).

4.1.8. Implement an Airfield Operations Board with ATC Commander leading the working group with all parties (stakeholders) either bi-weekly, monthly, or quarterly as required.

SUBJECT: Memorandum of Agreement 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

4.1.9. Provide USAGAPG notification for incoming 3-star and above General/ Flag Officers and 3-star equivalent and above Civilians.

4.1.10. Provide backup procedures between WAHP Flight Operations and PAAF Base Operations so that each base may transmit a Notice to Airmen (NOTAM) for each other if either location is unable to access Department of Defense Aeronautical Information Portal (DAIP) NOTAM for extended periods of time.

4.2. MDARNG will:

4.2.1. Prescreen Air Traffic Control all candidates to ensure they qualify for the training program per Army Regulation 95-2 and Traffic Control (TC) 3-04.81. All candidates must be a graduate of an Air Traffic Control school and have a valid/current Class 4 Flight Physical recognized by the flight surgeon at Aberdeen Proving Ground, Edgewood Area.

4.2.2. Ensure that candidates report for training. When assigned to training, eliminate all distractions (all other commitments) to the maximum extent possible. As stated above in para 4.1.5, the ATC Commander will notify the PAAF control tower supervisor of training conflicts no later than 48 hours prior to the scheduled training.

4.2.3. Incur all costs associated with transportation and housing.

4.2.4. Coordinate with ATC Range Control the following:

4.2.4.1. Incorporate R-4001A/B/C aviation operation procedure in the U.S. Army Aviation Branch Support Facility Standard Operating Procedure, Annex C (MDARNG) and ensure aircrew are familiar with provision of this MOU.

4.2.4.2. Maintain an Army Aviation Branch Standard Operating Procedure compliant with DA Pamphlet 385-90.

4.2.4.3. Adhere to APG Regulation 385-1 (Range Administration) and any additional requirements imposed by the Range Commander-In-Charge.

4.2.4.4. Coordinate/schedule all range overflights (other than pre-approved flight paths, approaches or departure routes) within R-4001A/B/C with the Chief, Range Operations, ATC via the submission of an Aircraft and/or Range Overflight Request.

4.2.4.5. Adhere to applicable APG regulations.

4.2.5. Maintain an MOU between PAAF and OSA-A Det 2 delineating responsibilities for hangar use and airfield services.

SUBJECT: Memorandum of Agreement 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

4.2.6. Provide backup procedures between WAHP Flight Operations and PAAF Base Operations so that each base may transmit NOTAMs for each other if either location is unable to access DoD DAIP NOTAM for extended periods of time.

4.2.7. Provide inter-agency exchange of crewmembers with both ATC and CBRNE for the purpose of evaluations, training, and instruction and aircraft movements. Both agencies delegate authority and responsibility to the agency that owns the aircraft utilizing the R-COP Army Aviation (RAW) being used to conduct the evaluations, training, instruction, or aircraft movement.

4.2.8. Maintain and fund an active real estate license executed by the U.S. Army Corps of Engineers, Baltimore District, for the use of PAAF real property.

4.3. CBRNE will:

4.3.1. Provide communication with ATC on current and future flight operations and mission schedule.

4.3.2. As a tenant and stakeholder, utilize the PAAF on a daily basis. Uses include, but not limited, to National Technical Nuclear Forensics missions, exercises, and deployments.

4.3.3. Maintain an MOU between PAAF and 20th CBRNE Aviation delineating responsibilities for hangar use and airfield services.

4.3.4. Provide inter-agency exchange of crewmembers with both MDARNG and ATC for the purpose of evaluations, training, and instruction and aircraft movements. Both agencies delegate authority and responsibility to the agency that owns the aircraft utilizing the R-COP Army Aviation RAW being used to conduct the evaluations, training, instruction, or aircraft movement.

4.4. USAGAPG will:

4.4.1. Provide Common Levels of Support services to the airfield as designated in the USAGAPG CLS and Reimbursable Services Catalog dependent on directed services levels, prioritization, and available resources.

4.4.2. Support airfield assessments, analysis, and long range plan development to inform and prioritize airfield infrastructure.

4.4.3. Support development and submission of projects for consideration and prioritization at the Installation Planning Board and Army Facility Investment Plan.

SUBJECT: Memorandum of Agreement 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

4.4.4. Provide notification to APG's Senior Commander and U.S. Army Installation Management Command for incoming 3-star and above General/Flag Officers and 3-star equivalent and above Civilians.

5. PERSONNEL: Each Party is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each Party is responsible for supervision and management of its personnel.

6. GENERAL PROVISIONS:

6.1. POINTS OF CONTACT: The following points of contact will be used by the Parties to communicate in the implementation of this MOA. Each Party may change its point of contact upon reasonable notice to the other Party.

6.1.1. For ATC:

6.1.1.1. Primary: [REDACTED]

6.1.1.2. Agreements: [REDACTED]

6.1.2. For MDARNG: The State Aviation Officer, ng.md.mdarng.list.sao@army.mil.

6.1.3 For USAGAPG: [REDACTED]

6.1.4. For 20th CBRNE: [REDACTED]

6.2. Airfield Operations Board must meet every six months to review and or modify ongoing actions and activities.

6.3. REVIEW OF AGREEMENT: This MOA will be reviewed annually, by the Parties, on or around the anniversary of its effective date for financial impacts, and triennially in its entirety.

6.4. MODIFICATION OF AGREEMENT: This MOA may only be modified by the written agreement of the Parties, duly signed by their authorized representatives. This MOA will be reviewed annually on or around the anniversary of its effective date, and triennially in its entirety.

6.5. DISPUTES: Any disputes relating to this MOA will, subject to any applicable law, Executive order, directive, or instruction, be resolved by consultation between the Parties or in accordance with DoD Instruction 4000.19.

SUBJECT: Memorandum of Agreement 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

6.6. TERMINATION OF AGREEMENT: This MOA may be terminated by either Party by giving at least 180 days written notice to the other Party. The MOA may also be terminated at any time upon the mutual written consent of the Parties.

6.7. TRANSFERABILITY: This MOA is not transferable except with the written consent of the Parties.

6.8. ENTIRE AGREEMENT: It is expressly understood and agreed that this MOA embodies the entire understanding between the Parties regarding the MOA's subject matter.

6.9. EFFECTIVE DATE: This MOA takes effect beginning on the day after the last Party signs.

6.10. EXPIRATION DATE: This MOA expires five (5) years from the day after the last Party signs.

6.11. CANCELLATION OF PREVIOUS MOA: This MOA cancels and supersedes any previously signed agreement(s) between the same Parties with the subject MOA.

7. FINANCIAL DETAILS:

7.1. Availability of Funds: This MOA does not document the obligation of funds between the Parties. Any obligation of funds in support of this MOA will be negotiated by specific funding documentation. The obligation of funds by the Parties is subject to the availability of appropriated funds pursuant to the DOD Financial Management Regulation.

7.2. Billing:

Mail invoice to (Payment will be made by):
DFAS-CL Centralized Disbursing Office
1240 E. 9th Street
CODE: JDCBB
Cleveland, OH 44199-9904

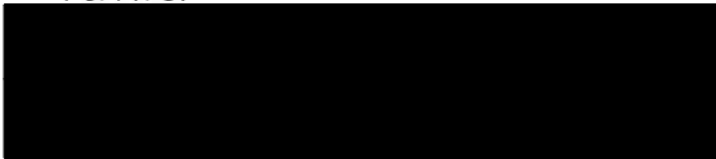
7.3. Financial Specifics: Cost estimates will be provided to the appropriate organization where reimbursement for support is required as stated above in para 4.1.1. The organizations will utilize the Fiscal Service 7600A form to document any reimbursable support.

SUBJECT: Memorandum of Agreement 22-127 between ATC, MDARNG, USAGAPG, and 20th CBRNE for Phillips Army Airfield (PAAF)

7.4. The determination of Economy Act, IAW 31 U.S.C § 1535 or Project Order IAW 41 U.S.C. 6307 will be identified on the appropriate funding documentation.

APPROVED:

For ATC:



Colonel, U.S. Army
Commanding

2022 05 17
(Date)

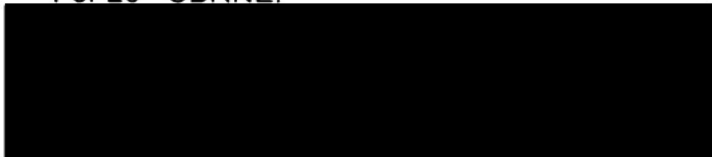
For MDARNG:



Colonel, MDARNG
Chief of Staff

20220610
(Date)

For 20th CBRNE:



Colonel, U.S Army
Chief of Staff

2022 05 17
(Date)

For USAGAPG:



Colonel, U.S. Army
Commanding

2022 05 17
(Date)