



~~SECRET//FGI GBR~~
DEPARTMENT OF THE NAVY

COMMANDER
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK, VA 23551-2487

3500
N02L/S018
25 Nov 08

~~SECRET//FGI GBR~~

~~SECRET~~ - Unclassified upon removal of enclosures (3), (4),
(7), (17), (18), (19), (20)

FOURTH ENDORSEMENT on Commander, U.S. Naval Forces Southern
Command ltr 5830 Ser N00/S174 of 23 June
2008

From: Commander, U.S. Fleet Forces Command
To: File

Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION
INTO VENEZUELAN AIRSPACE BY E-3 AIRCRAFT ON OR ABOUT
17 MAY 2008 (U)

1. On 1 September 2008, the Immediate Superior in Command (ISIC) completed review of this investigation. I concur with the corrective actions taken by the ISIC, Commander, Carrier Strike Group TWELVE (CCSG-12) to ensure that Carrier Aviation Wing ONE (CVW-1) has appropriate procedures in place to properly prepare the Wing for deployments and to ensure they respect foreign territorial airspace. The investigation reveals that the incursion into sovereign Venezuelan airspace could easily have been avoided had the VS-32 Detachment conducted rudimentary preparation concerning foreign airspace requirements.

2. In addition to the ISIC's actions, I believe two additional actions are required in this case.

a. First, I believe that Commander, Carrier Air Wing ONE was derelict in his duties to a degree that warranted disciplinary action. Accordingly, non-judicial punishment was awarded.

b. Second, by copy of this letter, I request a thorough evaluation of the Standard Operating Procedures in place at JIATF-S. Although the Air Wing and aircrew failed in proper planning and execution of their mission, there were issues requiring review of the command and control.

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Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION
INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT
17 MAY 2008 (U)

3. Regrettably, the Venezuelan airspace incursion in this case was avoidable. Commanders must adhere to the highest standards in planning and preparing for operational missions.


J W. GREENERT

Copy to:
USSOUTHCOM
COMUSNAVSO
JIATF-S
C2F
CCSG-12

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~~SECRET// F6I GBR~~



DEPARTMENT OF THE NAVY
COMMANDER CARRIER STRIKE GROUP TWELVE
UNIT 60009
FPO AE 09506-4704

5830
Ser N02L/ 0153
1 SEP 08

~~SECRET// F6I GBR~~

~~SECRET~~ - Unclassified upon removal of enclosures (3), (4), (7), (17), (18), (19), (20)

From: Commander, Carrier Strike Group TWELVE
To: File

Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

1. In accordance with reference (a), subject investigation has been reviewed and will be filed at Commander, Carrier Strike Group TWELVE. I concur with the findings of fact, opinions, and recommendations of the investigating officer as modified in the forwarding letter from Commander, U.S. Naval Forces Southern Command.

2. Commander, Carrier Strike Group TWELVE was first notified of the alleged airspace incursion on 19 May 2008, and immediately provided information to assist preparation of a diplomatic response to the demarche. Additionally, Commander, Carrier Strike Group TWELVE was prepared to convene an investigation into the incident until it was determined shortly thereafter by higher authority that U.S. Naval Forces Southern Command was the appropriate convening authority.

3. With regard to personnel recommendations 1 through 4 of the subject investigation, administrative action consistent with reference (a) was taken by Commander, Carrier Strike Group TWELVE. Additionally, Commander, Carrier Strike Group TWELVE convened Field Naval Aviator Evaluation Boards (FNAEBs) for all aircrew. As a result of these FNAEBs, the senior aviator's NATOPS flight qualifications were revoked with the exception of his primary aircraft and its variants, and the junior aviators were assigned a probationary flying status for six months. Finally, Commander, Carrier Strike Group TWELVE ensured the senior aviator's fitness report duly reflected his performance.

4. With respect to the above-described personnel actions, Commander, Carrier Strike Group TWELVE considered the full-range

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Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO
VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY
2008

of available options and actively sought the guidance of seniors within the aviation community. Procedural compliance and due diligence are core components of Commander, Carrier Strike Group TWELVE's "mission accomplishment first and risk management always" expectation, and the failures demonstrated in these areas were unacceptable. Furthermore, Commander, Carrier Strike Group TWELVE prioritized theater engagement throughout a 2007 combat deployment to the FIFTH and SIXTH Fleet Areas of Responsibility, and the gravity of this incident and its impact on the international relationship with the country concerned were fully contemplated. Given the totality of the circumstances, Commander, Carrier Strike Group TWELVE decided that administrative action, combined with the FNAEB results and a suitable fitness report sent a strong message and held the senior aviator accountable.

5. With regard to recommendation 5 of the subject investigation, CVW-1 was tasked with conducting an extensive review and update of VS-32's deployment/detachment SOP and associated checklists and required briefs. This review and update was completed and reported to Commander, Carrier Strike Group TWELVE (COMCARAIRWING ONE 281505Z AUG 08 refers).

6. Recommendation 6 of the subject investigation does not apply to Commander, Carrier Strike Group TWELVE, and is under the purview of Joint Interagency Task Force South.

7. My point of contact in this matter is (b)(6),
(b)(6) at (b)(6) COM: (b)(6).

J. N. Christenson

J. N. CHRISTENSON

Copy to:
USSOUTHCOM
USFFCOM
COMSECONDFLT
COMNAVSOUTH
JIATF-S

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DEPARTMENT OF THE NAVY
COMMANDER SECOND FLEET
FPO AE 09506-6000

5830
Ser 00/147
31 Jul 08

PMW - ENCLOSURE REMOVED

~~SECRET~~ - UNCLASSIFIED upon removal of enclosure (1)

From: Commander, Second Fleet

To: Commander, Carrier Strike Group TWELVE

Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO
VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT
17 MAY 2008 (U)

1. Readdressed and forwarded for appropriate action.

2. If you have any questions or concerns, please contact (b)(6)
(b)(6) at (b)(6) or email: (b)(6)

A handwritten signature in black ink, appearing to read "E. M. GRANIK".

E. M. GRANIK

~~SECRET // FGI GBR~~



DEPARTMENT OF THE NAVY
COMMANDER
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK, VA 23551-2487

5830
Ser N02L/S001
21 Jul 2008

~~SECRET // FGI GBR~~

~~SECRET~~ - UNCLASSIFIED upon removal of enclosure (1)

FIRST ENDORSEMENT on Commander, U.S. Naval Forces Southern
Command ltr 5830 Ser N00/S174 of 23 June 2008

From: Commander, U.S. Fleet Forces Command
To: Commander, Second Fleet

Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO
VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY
2008 (U)

1. Forwarded for appropriate action, concurring in the basic
investigation and recommendations as modified in the forwarding
letter from Commander, U.S. Naval Forces Southern Command.

A handwritten signature in cursive script, appearing to read "M. G. Williams, Jr.".

M. G. WILLIAMS, JR.
Deputy Commander

Copy to:
USSOUTHCOM
COMUSNAVSO
JIATF-S

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~~SECRET~~ // FBI GBR



DEPARTMENT OF THE NAVY

COMMANDER
U.S. NAVAL FORCES SOUTHERN COMMAND
P.O. BOX 280003, BLDG 1878
MAYPORT, FL 32228-0003

REFER TO:

5830
Ser N00/S174
23 Jun 08

~~SECRET~~ -Unclassified upon removal of enclosure (1)

From: Commander, U.S. Naval Forces Southern Command
To: Commander, U.S. Fleet Forces Command

Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION
INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT
17 MAY 2008 (U)

Encl: (1) (b)(6) ltr of 17 Jun 08 (U)

1. Enclosure (1) is readdressed and forwarded.
2. Concur with the findings of fact, opinions and recommendations of the investigating officer, except as noted below.
3. It would be inappropriate for NAVSO to take disciplinary or administrative action, as cited in recommendations 1-5, due to NAVSO's limited ADCON responsibilities were generally limited to "matters with potential to impact on theater relations" (enclosure 3). Furthermore, NAVSO did not have OPCON or TACON of the S-3 Viking aircraft conducting training missions in the Caribbean Sea on or about 17 May 2008. Therefore, per communications with USFF on 20 June 2008, the NAVSO completed command (JAGMAN) investigation into the Venezuelan airspace incursion is forwarded to the ISIC of those involved via USFF for action that the ISIC deems appropriate.
4. In addition to recommendations provided by the investigating officer, it is recommended that future deployment orders provide clear mission responsibilities, rather than relying on inference. As written, the deployment order made it unclear whether JIATF-S had TACON over VS-32 aircraft. Although this fact had little casual connection to the airspace incursion, prudence dictates that future deployment orders make this distinction.

J. W. STEVENSON, JR.

Copy to:
USSOUTHCOM
JIATF-S

~~SECRET~~ // FBI GBR

5800
Ser xxxx
17 Jun 08

Overall classification ~~SECRET//FGI GBR~~; UNCLASSIFIED upon removal of refs (b) and (c), and enclosures (3), (4), (7), (17), (18), (19), (20)

From: Commander, Patrol and Reconnaissance Group
To: Commander, U.S. Fleet Forces Command (N02P)

Subj: COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

Ref: (a) JAG Manual (U)
(b) JIATF-South Standard Operating Procedures (U)
(c) NAVSO LOI for OPS in SOUTHCOM AOR (U)
(d) FLIP Special Use Airspace North and South America AP/1A (U)
(e) FLIP En-route Low Altitude C&SA L6 (U)
(f) FLIP En-route Low Altitude C&SA L8 (U)
(g) Navigational Chart TPC K-27D (U)

Encl: (1) COMUSNAVSO ltr 5800 Ser N01/142 of 22 May 08 (U)
(2) IO ltr 5800 of 5 Jun 08 (U)
(3) COMUSFLTFORCOM MSG 021948Z May 08 (U)
(4) JIATF South Daily Intentions MSG of 17 May 08 (U)
(5) Results of Interview ICO JIATF-S, 28 May 08 (U)
(6) Results of Interview ICO (b)(6), VS-32 LNO to JIATF-S, 27 May 08 (U)
(7) (b)(6), NAVSO LNO to JIATF-S, email to VS-32 of 30 Apr 08 (U)
(8) Results of Interview ICO CO, VS-32 (U)
(9) Results of Interview ICO (b)(6), 27 May 08 (U)
(10) Voluntary Statements ICO (b)(6), 27 May 08 (U)
(11) Results of Interview ICO (b)(6), 27 May 08 (U)
(12) Voluntary Statement ICO (b)(6), 27 May 08 (U)
(13) Results of Interview ICO (b)(6), 30 May 08 (U)
(14) Voluntary Statement ICO (b)(6), 18 May 08 (U)
(15) Results of Interview ICO (b)(6), FOL Curacao, 29 May 08 (U)
(16) VS-32 DET deployment After Action Report (U)

Derived From: Multiple Sources
Declassify on: Source Marked MR

- (17) VS-32, Intel Brief given to MAUL 10 (U)
- (18) JIATF-S Weekend Intentions MSG Powerpoint (U)
- (19) Map of estimated incident by NAVSO JIATF-S LNO (U)
- (20) JIATF-S Preliminary Investigation of Incident (U)
- (21) MAULR 10 filed Flight Plan 17 May 08 (U)
- (22) FOL Curacao JOC Watch Log of 17 May 08 (U)
- (23) NAVSO OPREP-3 181900Z May 08 (U)
- (24) NAVAIR 01-S3AAB-1B Preflight Briefing Checklist (U)
- (25) (b)(6) NATOPS Evaluation Report (U)
- (26) (b)(6) NATOPS Evaluation Report (U)
- (27) (b)(6) NATOPS Evaluation Report (U)
- (28) FOL Curacao In-Flight Guide of 3 Jan 08 (U)
- (29) FOL Curacao revised In-Flight Guide of 16 May 08 (U)
- (30) VS-32 INST 3100.10 Standard Operating Procedure (U)

Preliminary Statement

1. (U) A Command Investigation was conducted pursuant to Enclosure (1) and in accordance with reference (a) to inquire into the facts and circumstances surrounding an alleged incursion into Venezuelan airspace on or about 17 May 2008, by an S-3 aircraft assigned to VS-32, operating from Forward Operating Location (FOL) Curacao, tasked by Joint Interagency Task Force South (JIATF-S) to conduct a routine Maritime Patrol Aircraft (MPA) Mission.
2. (U) The Investigating Officer (IO) has read chapter II of reference (a) and conducted a thorough and in-depth investigation of the events which caused the alleged incursion. All reasonably available evidence was collected and each directive of the convening authority has been met. During the course of the investigation, the IO secured statements from VS-32, JIATF-S, CVW-1, and FOL Curacao personnel.
3. (U) Before he was interviewed, (b)(6), Commander CVW-1 (CAG), was advised of his rights under UCMJ Article 31 and chose not to waive them. Nonetheless, he did speak with the IO regarding his knowledge of the incident.
4. (U) All times provided are given in ZULU time.
5. (U) The Investigating Officer requested, and was granted, an extension until 17 Jun 2008 to complete the investigation.

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Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

Findings of Fact

1. (U) On 11 My 08, one VS-32 Detachment comprised of three S-3 aircraft (VS-32 DET) deployed to Forward Operating Location Curacao, Netherlands Antilles (FOL Curacao). [Encl (3)]

2. (U) The purpose of the VS-32 DET deployment was to conduct training through execution of Joint Interagency Task Force South (JIATF-S) Maritime Patrol Aircraft Missions (MPA) in the U.S. Southern Command (SOUTHCOM) Area of Responsibility (AOR). [Encl (3), ref (b), (c)]

3.

(b)(1)

4.

5. (U) In support of the VS-32 DET deployment, Commander, Sea Control Wing Atlantic (COMSEACONWINGLANT) assigned two Liaison Officers (LNOs) to JIATF-S. [Encl (5), (6)]

6. (U) JIATF-S guidance required LNOs to serve as DET subject matter experts, attend the Targeting and Intentions meetings, provide specific DET aircraft information, and be accessible during DET missions. [Encl (5), (6)]

7. (U) On or about 30 April 08, (b)(6), NAVSO LNO to JIATF-S, provided an email to VS-32 containing links to all necessary operational references for deployment to the SOUTHCOM AOR. [Encl (7)]

8. (U) References provided to VS-32 DET included the JIATF-S Standard Operating Procedures (SOP) containing AOR "stand-off" and "air space restriction" procedures. [Encl (7)]

9. (U) Prior to deployment, VS-32 DET obtained or had access to specific AOR publications, maps, charts, Notices to Airmen

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

(NOTAMS), instructions, standard operating procedures, and intelligence reports from SOUTHCOM, JIATF-S, NAVSO, and FOL Curacao. [Encl (7), (8), (20)]

10. (U) On or about 11 May 08, VS-32 DET received an intelligence brief from (b)(6), S-3 Wing, at Naval Air Station Jacksonville. [Encl (8)]

11. (U) On or about 11 May 08, VS-32 DET received an orientation and local course rules brief from FOL Curacao. [Encl (12), (15)]

12. (U) On or about 12 May 08, (b)(6), VS-32 Operations Officer, received an in-brief from JIATF-S, which covered the concept of operations for the DET deployment. [Encl (5)]

13. (U) On or about 12 May 08, VS-32 DET began assigned tasking missions IAW the Daily Intentions Message (DIMS) issued by JIATF-S; and executed 10 missions and 41.4 flight hours without incident before the alleged incursion. [Encl (5)]

14.

15.

16.

(b)(1)

17.

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

18. (U) The JIATF-S SOP addresses stand-off distances, TTW, and detailed procedures regarding operations in and around Foreign Territorial Airspace. In the Country Section, the Venezuela entry discusses current diplomatic relations with Venezuela and warns "do not enter VEN airspace without approval". [Ref (b)]

19. (U) The aircrew assigned this mission by VS-32 DET was comprised of (b)(6) (Commander, Carrier Air Wing ONE) (CVW-1 CAG) as Pilot, (b)(6) (VS-32) as Co-Pilot Tactical Coordinator (COTAC), and (b)(6) (VS-32) as Tactical Coordinator (TACCO). [Encl (9), (11), (13)]

20. (U) On or about 17 May 2008, at approximately 1930Z, the aircrew arrived at FOL Curacao for pre-flight preparations. [Encl (9), (11), (12), (13)]

21. (U) The aircrew received an Intelligence brief from (b)(6) (b)(6) (VS-32) that covered the DIMS tasking and assigned search area. [Encl (9), (11), (12), (13), (17)]

22. (U) The Intelligence Brief was based on the JIATF-S Weekend Intentions PowerPoint. [Encl (17), (18)]

23. (U) The brief did not depict an accurate representation of the search area and could not be used as a navigational planning tool. [Encl (4), (5), (17), (19), ref (g)]

24. (U) After (b)(6) Intelligence Brief, (b)(6) gave the NATOPS and Safety of Flight brief to the mission aircrew. [Encl (9), (11), (12), (13), (24)]

25. (U) During the NATOPS brief, it was noted that there were several islands in the assigned search area. [Encl (14)]

26. (U) The aircrew had no discussions regarding "stand-offs," "air space restrictions," and "highest obstruction" for the assigned search area, and no charting of the area was made prior to flight. [Encl (9), (11), (13)]

27. (U) No review of area NOTAMS of FLIP AP/1A was conducted although computers were available for use in the VS-32 spaces

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

and FOL Curacao Joint Operations Center. [Encl (9), (11), (13), (15)]

28. (U) The aircrew had no discussions regarding the "return to base" flight plan before takeoff. [Encl (9), (13)]

29.

(b)(1)

30. (U) (b)(6) signed a flight plan for MAULR 10 with the Joint Operations Center (JOC) Watch Officer for FOL Curacao, but did not recall doing so. [Encl (13), (21)]

31. (U) On or about 2209Z, 17 May 08, MAULR 10 launched from Curacao FOL, cancelled its clearance IAW SOP, and proceeded to its assigned search area IAW DIMS tasking. [Encl (22)]

32. (U) The search area box was plotted in the aircraft on the tactical display. Only the area boundaries were displayed. [Encl (9), (13)]

33. (U) The aircrew's search plan, devised after takeoff, was to fly at 3,500 feet in an oval pattern beginning at the northwest quadrant of the assigned search area, to the northeast quadrant, to the southeast quadrant, and ending at the southwest quadrant. [Encl (11), (13)]

34. (U) Radio frequencies monitored in MAULR 10 while on-station were Iguana Ops (FOL Ground), Curacao Center, and HI SATCOM (JIATF-S), GUARD. [Encl (9), (11), (13), (15)]

35. (U) The search area was located in the Marquetia FIR, not the Curacao FIR. [Refs (d)-(f)]

36. (U) Mission aircraft are required to contact JIATF-S one hour prior to takeoff for any mission updates. [Encl (4), (19), Ref (c)]

37.

(b)(1)

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

(b)(1)

38. (U) At approximately 2230Z, MAULR 10 reported on-station to JIATF-S, op-tested its radar, and began searching for contacts. [Encl (9), (10), (12)]

39. (U) MAULR 10 used the APS-137 radar in surface search mode to locate, plot, and track surface contacts and used periscope search mode to refine contact positions. [Encl (9), (12)]

40. (U) The TACCO provided contact information to the LANTIRN operator ((b)(6) , COTAC) for target identification. [Encl (9), (13)]

41. (U) While transiting from the southeast to southwest quadrant of the assigned search area, MAULR 10 overflow many islands, including Islas Los Hermanos and Isla Blanquilla (Venezuelan territory). There were contacts in and around the islands that were investigated. [Encl (9), (10), (12), (13), (14), (19)]

42. (U) Throughout the flight, communications with JIATF-S were intermittent and sporadic due to satellite coverage. [Encl (5), (9), (12), (13)]

43.

(b)(1)

44. (U) MAULR 10 attempted to contact JIATF-S at regular intervals throughout the mission, making calls "in the blind." [Encl (9), (12)]

45. (U) A lack of two-way communications was present during many of the flights throughout the DET. [Encl (5), (8), (9), (12)]

46. (U) At approximately one hour into mission, (b)(6) donned night vision goggles to enhance situational awareness and assist in identifying contacts. [Encl (9)]

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

47. (U) At approximately 0130Z, at a position of 11°50'N 066°00'W, MAULR 10 concluded the assigned mission, checked offstation with JIATF-S, and secured its radar. [Encl (10), (11)]
48. (U) The reported position of 11°50'N 066°00'W places MAULR 10 inside prohibited airspace SVP2521 and inside Venezuelan TTW near Isla La Orchila. [Ref (f), (g)]
49. (U) MAULR 10 planned to exit the southwest quadrant for a direct return flight to Curacao. [Encl (9)-(13), (19)]
50. (U) MAULR 10 aircrew used FLIP charts for navigation both en route and while onstation. [Encl (9), (13)]
51. (U) MAULR 10 used the Grand Roque (LRS 78) VOR to navigate the aircraft to the nearest compulsory reporting point (BONAX) in order to receive an IFR clearance to return to base. [Encl (9), (10), (13), (14)]
52. (U) En route to BONAX, at approximately 0137Z, MAULR 10 climbed to cruising altitude and overflew the Venezuelan Island, Islas Los Roques, and the Gran Roque VOR at 6,400 feet and 340 knots. [Encl (9), (10), (14)]
53. (U) MAULR 10 also overflew the Venezuelan airfield, Los Roques, on Islas Los Roques. [Encl (13), Ref (g)]
54. (U) At approximately 0150Z, the FOL Curacao JOC Watch Officer received a phone call from Curacao Air Traffic Control (ATC). [Encl (22)]
55. (U) Curacao Air Traffic Control (ATC) reported to FOL Curacao JOC that ATC was receiving complaints from Venezuela ATC (Maiquetia) that U.S. aircraft are "flying in prohibited territory and flying very low". [Encl (22)]
56. (U) At approximately 20-30 miles east of BONAX, while in the Maiquetia FIR, MAULR 10 established communications with Curacao ATC, which in turn, advised the aircrew to switch frequencies and contact maiquetia ATC. [Encl (10), (12), (13), (14)]

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

57. (U) Upon checking in with Maiquetia ATC, the controller asked for identification and relayed to the aircrew that the aircraft had flown into Venezuelan airspace. [Encl (10), (12), (13), (14)]

58. (U) The controller seemed agitated that the aircraft was flying in his airspace without checking in with Maiquetia ATC. [Encl (10), (12), (13), (14)]

59. (U) (b)(6) identified the aircraft as MAULR 10, a U.S. Navy aircraft, returning from a training mission in international airspace that originated in Curacao. [Encl (10), (13), (14)]

60. (U) (b)(6) also stated that a possible navigational error may have occurred to de-escalate the situation. [Encl (10), (13), (14)]

61. (U) Once the controller identified the aircraft, he thanked them, and advised MAULR 10 to switch to Curacao ATC; during this period MAULR 10 had entered the Curacao FIR. [Encl (10), (12), (13)]

62. (U) No vector or other instructions were given to MAULR 10 by Maiquetia ATC. [Encl (14)]

63. (U) The conversation between MAULR 10 and Maiquetia ATC lasted approximately 3 minutes. [Encl (12), (14)]

64. (U) At approximately 0210Z, MAULR 10 recovered safely at Curacao. [Encl (22)]

65. (U) Shortly after MAULR 10 recovered, VS-32 DET notified NAVSO about a possible air space violation and a SITREP was issued by NAVSO, DEG 181900ZMAY08. [Encl (23)]

66. (U) Neither of the two COMSEACONWINGSLANT LNOs to JIATF-S were on the JIAF-S watch floor during the approximate four hour MAULR 10 mission and had no knowledge of the Venezuelan overflight until notified by JIATF-S via cell phone. [Encl (6)]

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

67. (U) Overall, VS-32 DEET conducted 25 sorties totaling 112.5 flight hours during its FOL Curacao deployment. [Encl (16)]

68. (U) VS-32 DET departed FOL Curacao on 23 May 2008. [Encl (16)]

69. (U) VS-32 is assigned to Carrier Air Wing ONE (CVW01). [Encl (3), (30)]

70. (U) CVW-1 ISIC is CCSG-12 in Norfolk, VA. [Encl (3)]

71. (U) (b)(6) is the CAG for CVW-1. [Encl (14)]

72. (U) (b)(6) had 4290 total flight hours, and possesses a current flight physical, and NATOPS and swim/physiology qualifications. [Encl (25)]

73. (U) (b)(6) had not flown any mission in FOL Curacao prior to the incident and flew two missions after. [Encl (8)]

74. (U) (b)(6) had 2281 total flight hours, possesses a current flight physical and NATOPS, and swim/physiology qualifications. [Encl (26)]

75. (U) (b)(6) had flown two missions at FOL Curacao prior to the incident and one after. [Encl (8)]

76. (U) (b)(6) had 733 total flight hours, possesses a current flight physical and NATOPS, and swim/physiology qualifications. [Encl (27)]

77. (U) (b)(6) had flown two missions at FOL Curacao prior to the incident and one after. [Encl (8)]

78. (U) According to (b)(6) < FOL Curacao, an incident like this has not happened in recent times at the FOL. [Encl (15)]

79. (U) VS-32 initiated the following actions in response to the incident: [Encl (20)]

Subj: (U) COMMAND INVESTIGATION CONCERNING ALLEGED INCURSION INTO VENEZUELAN AIRSPACE BY S-3 AIRCRAFT ON OR ABOUT 17 MAY 2008

a. Training on 12 nautical mile stand-offs from foreign airspace.

b. Future intelligence briefs will include airspace restrictions.

80. (U) JIATF-S initiated the following actions in response to the incident:

a. Daily INTEL/AIRCREW update will be conducted prior to each flight.

b. JIATF-S will ensure each mission area in DIMS is clearly defined to ensure airspace is de-conflicted and real time tasking is clearly understood by LNO and information is understood by squadron.

c. Review of all historical traffic search areas will be reviewed and each squadron understands complexity of flight in region.

d. Historical Venezuelan aircraft activity will be briefed to incoming aircrews to ensure aircrew sensitivity to unique challenges in operating in this AOR.

e. JIATF-S Air Ops suspended S-3 flights in the AOR near Venezuelan airspace for the duration of the VS-32 detachment.

81. (U) The electronic displays in the JIATF-S operations center do not show all islands or any stand-offs. When an aircraft position report is plotted on GCCS, watch standers do not know if an aircraft has violated TTWS, unless it is over the South American mainland and/or large islands that are displayed. [Encl (5)]

82. (U) FOL Curacao added color charts, highlighted FIRs and special use airspace in its local course rules booklet in response to the incident. [Encl (28, (29))]

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Opinions

1. (U) The findings of fact strongly support that VS-32 S-3 aircraft, MAULR 10, operating from FOL Curacao violated airspace restrictions and published territorial stand-offs on 17 May 08 as follows:

a. MAULR 10, without approval, overflowed Venezuelan islands, Islas Los Hermanos and Isla Blanquiolla, located in the southeast quadrant of the assigned search area.

b. MAULR 10, without approval, overflowed Venezuelan prohibited airspace SVP2521 and TTW off Isla La Orchila while checking offstation on the western edge of the assigned search area.

c. MAULR 10, without approval, overflowed Venezuelan island, Islas Los Roques, at the Gran Roque VOR en route to BONAX. [FF (16), (41), (47), (51), (52), (53), (55)]

2. (U) VS-32 pre-deployment preparations for the two week detachment to FOL Curacao were inadequate to comply with operational tasking, theater standard operating procedures (SOP), and NATOPS> VS-32 did not review AOR geography and operating procedures prior to deploying. This action would have been prudent upon notification of deploying to this particular AOR. [FF (7), (9), (10), (11), (12), (18)]

3. (U) JIATF-S assumed that the aircrew would conduct pre-flight planning to include identifying sovereign national airspace (12NM), restricted areas within the assigned search area, and discussions regarding political sensitivities. [FF (6), (7), (12), (17), (18), (80)]

4. (U) The aircrew was unaware of the 12 NM stand-off language in the JIATF-S SOP and DIMS. Consequently, the aircrew assumed that there were no airspace restrictions or stand-offs within the assigned search area; and assumed that JIATF-S would advise them if there were. [FF (26), (27), (20)]

5. (U) VS-32 personnel, including the Commanding Officer and COMSEACONWINGSLANT LNOs, did not review JIATF-S SOP or other

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germane operational guidance documents prior to or during the VS-32 deployment. [FF (6), (7), (8), (9), (18)]

6. (U) The NAVSO LNO to JIATF-S provided guidance documents approximately 10 days prior to deployment with an emphasis to review the SOP stand-off procedures. A cursory review would have highlighted the political sensitivities of countries in the AOR and the specific instructions regarding territorial overflight. [FF (7), (18)]

7. (U) While LNO presence on the watch floor during this mission may not have prevented the MAULR 10 overflight, the lack of LNO presence when a VS-32 aircraft was flying is indicative of the lax attitude and lack of operational attention the LNOs gave this detachment. [FF (6), (16), (23), (27), (66)]

8. (U) When this "box" was briefed in the JIATF-S tasking meeting, the geographic location north of the Venezuelan coast, as well as the islands located in the SE corner, could have been noted. Since a geographic chart was not used by the LNOs or the squadron at any time to plot the search areas, any land around or in the box would go unnoticed prior to flight. [FF (6), (16), (23), (27), (66)]

9. (U) This box was different from the other "blue water" search areas, both by its location and the presence of the islands. [FF (6), (16), (23), (27), (66)]

10. (U) The 17 May 08 mission brief, prepared by JIATF-S and sent to the FOL for MAULR 10, was adequate and did not contribute to the overflight or lack of situational awareness (SA) by the crew. The brief and the instructions on the DIMS provided MAULR 10 with information required to properly plan and execute the mission. [FF (17), (78)]

11. (U) The DIMS not addressed TTW; and since overflight violations had not occurred in recent memory, there was no reason to further emphasize TTW restrictions. Aircraft operating "due regard" are responsible for all aspects of the flight, particularly aircraft positioning. [FF (17), (78)]

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12. (U) The Pilot in Command and Mission Commander did not properly review the DIMS or brief the mission in accordance with NATOPS. Several items in the S-3 NATOPS preflight briefing were overlooked and, if discussed, could have precluded unauthorized overflight of TTW. [FF (23), (25), (26), (27)]

13. (U) These items include: Operating area, Controlling agencies, route of flight, NOTAMS, restricted or danger areas, search plan, altitude restrictions on station, expected hazards and risk controls/decisions. No discussion of these by the aircrew, placed their safety in jeopardy. [FF (23), (25), (26), (27)]

14. (U) If the aircrew would have reviewed the NOTAMS and crosschecked them against the FLIP or geographic chart, they would have seen the prohibited airspace in the vicinity of their intended route of flight. The NOTAMS could have been checked by using the computer in the JOC while filing the Flight Plan. Checking NOTAMS is a basic airmanship requirement. [FF (9), (27), (30)]

15. (U) The geographic location of the assigned search area and route of flight were not plotted on any chart by the aircrew prior to the flight. Without plotting the assigned search area, an accurate geographic depiction of the location, identification of islands, distance to Venezuelan coastline, highest on station obstruction and clear route of flight, could not have been determined. [FF (25), (26), (27)]

16. (U) Had the area been plotted on a chart, it would have been apparent that there were islands in the area and that a direct route of flight to Curacao from the western side of the assigned search area would result in overflight of Venezuelan territorial waters and prohibited airspace. [FF (25), (26), (27)]

17. (U) Numerous islands were detected on radar throughout the flight and the aircrew did not ask the question "who do they belong to." Even if the question had been asked, the crew did not have the proper materials on board the aircraft to answer the question. The only safe course of action would have been to avoid Venezuelan territory by 12 NM. [FF (39), (40), (41)]

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18. (U) MAULR 10 flew through prohibited airspace without receiving clearance from Venezuelan ATC or being on an assigned airway. The MAULR 10 aircrew used FLIP charts for navigation both en route and while on station. These charts are for airway and point to point navigation. They are not adequate for VFR navigation when operating "due regard" in unfamiliar airspace. [FF (50), (55), (56), (57)]

19. (U) The FLIP charts depict FIRs, frequencies to use while in respective FIRs, and restricted airspace, all of which were ignored by MAULR 10. The crew operated in the Maiquetia FIR (Venezuelan controlled) with Curacao FIR frequencies set in the radio. As a result, MAULR 10 did not maintain situational awareness and violated basic communication protocols. [FF (34), (35), (56), (58), (61)]

20. (U) MAULR 10 used the "gouge" or "word of mouth" procedures from previous missions instead of following proper radio and positioning procedures. [FF (34), (35), (56), (58), (61)]

21. (U) MAULR 10 called Curacao ATC to pick up their inbound clearance while inside Maiquetia FIR. Had MAULR 10 been monitoring the correct frequency (Maiquetia), the initial call would have been to the proper controlling agency (Maiquetia). [FF (34), (35), (56), (58), (61)]

22. (U) JIATF-S should have initiated lost COMMS procedures when they did not receive the required 30 minute position report from MAULR 10. However, not implementing lost COMMS procedures during the MAULR 10 mission IAW SOP did not contribute directly to the overflight violation. [FF (36), (37), (42), (43), (44), (45)]

23. (U) Continuous and vigilant use of radar could have provided situational awareness to the TACCO that MAULR 10 was flying over islands when they exited the assigned search area. [FF (47)]

24. (U) There were no navigation equipment issues with the aircraft to cause the territorial and airspace violations by MAULR 10. [FF (29)]

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25. (U) Minimal logs were kept by MAULR 10 aircrew, making reconstruction of the flight difficult. A minimum log of Takeoff/Onsta/Offsta/Land was provided, but no chart depicting the search area and route of flight. [FF (65), (77)]
26. (U) The squadron provided only a copy of the JIATF-S Mission brief and a blank chart to the IO team. The squadron apparently had made no attempt to reconstruct the flight, in detail, after the incident for SA or lessons learned. [FF (65), (77)]
27. (U) The JIATF-S operations center expects aircraft to maintain proper stand-offs; as such, the operations center does not display stand-off and restricted airspace information on the watch floor electronic displays. [FF (81)]
28. (U) (b)(6) lack of attention and insufficient knowledge of the geography and operating environment contributed directly to the overflight violations. His purpose for joining the detachment should have been to provide professional oversight, leadership and ensure the squadron complied with NATOPS, theater ROE and operational procedures. [FF (25), (26), (27), (28)]
29. (U) As the senior aviator, (b)(6) violated all the above in the MAULR 10 mission. When squadrons fly with their Commodore or CAG, they usually make sure the brief and mission is IAW NATOPS and the crew is "on their game." If not, the CO should certainly hear about it from the CAG. The CAG is not one of the "Bubbas" and more importantly, should never be part of the problem. [FF (25), (26), (27), (28)]
30. (U) The FOL Curacao Course Rules, facilities and support were adequate for this detachment and did not contribute to the overflight or lack of SA by the crew. FOL facilities provided the aircrew with outstanding mission planning and briefing support. Billeting afforded the aircrew with a secure environment for adequate rest and recreation. [FF (27), (82)]
31. (U) The FOL Indoctrination Brief and Course Rules handouts provided adequate information for safe liberty and safe flying in the vicinity of Curacao. [FF (27), (82)]

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Recommendations

1. (U) As the Pilot in Command, Senior Naval Aviator, and Senior Naval Officer onboard MAULR 10, it is recommended that the actions by (b)(6), leading to and during this incident, be reviewed by higher authority for possible administrative and or disciplinary action. (b)(6) committed numerous violations of territorial stand-offs, endangered the well being of his crew by flying through prohibited airspace, and lost situational awareness due to incomplete NATOPS procedures. He was prepared for only a best case "blue water" scenario and was not aware of AOR stand-offs and political sensitivities. In addition, he did not have the material onboard to make correct decisions if operationally re-tasked out the search area or respond to an immediate divert.
2. (U) AS the Mission Commander responsible for the conduct of the mission, it is recommended that the actions by (b)(6) leading to and during this incident be reviewed by higher authority for possible administrative and or disciplinary action. (b)(6) conducted the mission without the required charts, preparation, and overall situational awareness, which contributed to numerous overflight violations.
3. (U) It is recommended that the actions by (b)(6), a fully qualified COTAC and TACCO, as well as a responsible crewmember, be reviewed by higher authority for possible administrative and or disciplinary action. (b)(6) total loss of situational awareness after MAULR 10 checked offstation, by securing his radar and "going along for the ride", contributed to numerous overflight violations.
4. (U) The VS-32 Commanding Officer, Executive Officer and Operations Officer were responsible for ensuring the squadron was thoroughly prepared for operational flights in the SOUTHCOM AOR and it is recommended that they receive non-punitive letters of caution. They did not review or require any squadron members to review the JIATF-S SOP prior to, or during, the Curacao detachment. The SOP link was sent to the squadron AOIC and could have been easily accessed for review and training.

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5. (U) The squadron did not prepare operationally for this detachment. They did not review the "rules of the road" to operate in the SOUTHCOM AOR, in spite of spoon-feeding efforts by the JIATF-S NAVSO LNO to provide the information and prioritize the most important elements. It is recommended that VS-32 not be operationally deployed, detached, conduct training or otherwise, until their ISIC has conducted an extensive review and update of the squadron deployment/detachment SOP and associated checklists and required briefs. Emphasis should be on land-based operations from an overseas location, assigned duties and responsibilities.

6.

(b)(1)

(b)(6)