

OFFICE OF THE
SECRETARY OF DEFENSE

MARCH 2, 2004

COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20315-6035

ONE HUNDRED EIGHTH CONGRESS

April 5, 2004

259

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Honorable Donald Rumsfeld
Secretary of Defense
1300 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Rumsfeld:

Enclosed is correspondence from Representative John Doolittle, which includes an inquiry from his constituent, Mrs. Sharon Schmidt, regarding the March 2003 death of her husband in Colombia.

I am writing to ask the Department to look into the allegations raised in the letter, and to provide me with a report which would be responsive to Mrs. Schmidt.

Thank you for your consideration of this request. I look forward to hearing from you at your earliest convenience.

With best wishes.

Sincerely,


Duncan Hunter
Chairman

DH:rj
Enclosures

0 SD 06264-04

JOHN T. DOOLITTLE
4TH DISTRICT, CALIFORNIA

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<http://www.house.gov/doolittle>

February 19, 2004

The Honorable Duncan Hunter, Chairman
House Armed Services Committee
2120 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Hunter:

I am forwarding to you a letter from one of my constituents, (b)(6) regarding the death of her husband, Mr. Tommy Schmidt, who died in a helicopter crash in Colombia in 2003.

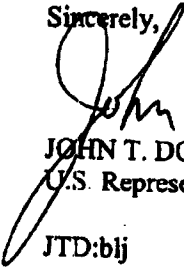
While participating in a United States-led counternarcotics flight over the jungles of Colombia, Mr. Schmidt's aircraft crashed. (b)(6) suspects that the helicopter contractor, Northrop Grumman, should be held liable for the incident because concerns about the capability of the aircraft had been expressed prior to the crash.

Given your jurisdiction over such issues, I strongly encourage you to contact (b)(6) to consider the concerns she raises. You may reach her at:

(b)(6)

Thank you in advance for your assistance.

Sincerely,


JOHN T. DOOLITTLE
U.S. Representative

JTD:blj

October 27, 2003

Dear Honorable Congressman Doolittle,

On March 25, 2003, my husband, Tommy Schmidt, was sent on a mission in search of his comrades. For ten nights in a row, the same pilot (my husband) and surveillance operator, Ralph Ponticelli, were sent out into the dark and dangerous terrain of the Andean Mountains. Although fatigued and frustrated, they both willingly searched for their friends. Knowing the grave problems of the SRS program, some have asked me why Tommy went back down to Colombia after he had given verbal notice on January 28, 2003, that he was leaving the program as soon as Chris returned. Why? I am probably the only person on this Earth that knows the answer to this question. Tommy served our country during the TET offensive of the Vietnam War as an Army helicopter pilot. He was shot down five times. He was rescued five times. A man's life experiences shape his character; my husband was a man of unquestionable honor. Ralph served in the Army as well. Ralph was captured during the invasion of Panama. The story that I heard was that for six days he was beaten and tortured. He was finally able to escape after killing his captors. Do I need to explain their states of mind any further?

In hindsight I can see that this mission was doomed, but I had always thought that Tommy was invincible. Tommy, Ralph, and Butch died that stormy night on a steep slope in the jungles of Colombia. I found out about the crash at 9:30PM via internet news. When I talked to the site manager in Bogotá, he denied that there had been a crash, but I knew the truth. I spent that entire night searching for more news. Around 3AM I read on the internet that three bodies were burned beyond recognition, still strapped in their seats in the wreckage of the plane.

On March 8, 2003, Ralph told me a rescue helicopter with American SAR onboard had been forbidden by the U.S. Embassy to land and pick up the crew of N1116B because the pilot was Colombian- the fear being that the secret surveillance equipment would be seen by a Colombian. Until the following article came out, I had no actual proof that what Ralph had told me was true. He also told me about a second rescue attempt that was also stopped by Anne Patterson. Although I believe him, I have no way to prove what he told me, but the truth would come out in an investigation. The Special Forces members who participated in the "alleged" second attempt could be questioned in a Congressional investigation.

Excerpt from "Anti-Drug Flights Not Warned in Colombia by Ken Guggenheim, AP Yahoo News Oct. 23, 2003

The former head of the department's aviation program, John McLaughlin, cited the report in requesting a congressional investigation of the counternarcotics bureau, which oversees the spraying program.

"Aircrew lives are being put at risk without making use of all available protective measures," McLaughlin said in an Oct. 9 letter to the House Government Reform Committee ([news](#) - [web](#) sites). McLaughlin retired Oct. 3.

McLaughlin said in his letter that after an American contractor's plane crashed Feb. 13 in guerrilla-controlled territory, rescue helicopters were kept on the ground with engines running for at least 15 minutes. By the time the helicopters flew over the crash site, guerrillas had executed an American and a Colombian, and could be seen leading three Americans into captivity. The three have not been released.

What I am asking of you, Mr. Dolittle, is to press Congress for a Congressional hearing or investigation to review the role of U.S. contractors, specifically Northrop Grumman, in Colombia and the responsibilities that the contracted companies should have to ensure the safest possible conditions and equipment. Northrop Grumman is the SRS contractor; however, after the first crash on Feb. 13, 2003, in my opinion, they tucked tail and ran. Although I realize that my husband was just a faceless name to Northrop, should financial decisions negate the sanctity of human life? Is this really the defense contractor that should be awarded contracts by our government? Pilots had expressed their concerns in May, 2002. A letter warning of impending disaster sent by SRS pilots was received by Northrop in December, 2002. With full knowledge that the single engine planes being used for these dangerous missions were unfit for the conditions, NG/CMS suddenly created a "new" company called CIAO, Inc. using the same program manager and the same "cheaper" plane. California Microwave Systems, a subsidiary of Northrop, was fulfilling the contract that ran until June 21, 2003, so how could they possibly be allowed to shift liability to a third party before they completed the contract? A Congressional investigation could review terms of the contract and would reveal all the irregularities and the unusual transfer of the contract under "questionable" circumstances.

On Tuesday, October 21, 2003, I received a letter from the claims administrator for Gerber Life Insurance telling me that Northrop had notified them that my husband had been "terminated" and my claim for the personal accident insurance (that Tommy had paid for on 3/28/03) was therefore ineligible. This is just another slap in the face that we, the families, have suffered. I have appealed the mishandling of my claim to the CA Dept. of Insurance and they are currently investigating the situation.

Sir, I spent a lot of time in Colombia with my husband. He, and a few others, did confide in me, so I do have a great deal of knowledge about the "program", which is why I feel sure that in order to save the "program", the conclusion of the "classified" investigation will have to come out as one of pilot error- any other conclusion would cast doubt on the contractor's continued use of a single engine plane for "forbidden" night missions in a "forbidden" mountainous sector. I fear that the real truth will be hidden from the families. My life has been shattered; I need the truth. Mr. Dolittle, my husband had a brilliant career in the Air Force and well over 12,000 accident-free hours of flight time- the crash was not caused by pilot error, it was caused by the gross mismanagement and willful negligence of the contractor- Northrop Grumman. This is, of course, only my opinion. A Congressional investigation would allow all of those who signed non-disclosure statements to come forward and tell what they know, including not only former CMS employees, but also the SAR members, OPSCO, and other witnesses based in Larandia. A Congressional investigation is needed to prevent a repeat of the two SRS disasters of February and March, and the three Dyncorp (spray program) shoot-downs. Though Northrop was forced to lease a twin engine plane after losing both Caravans to crashes, the management of the program remains the same.

It is also my hope that a positive course of action to secure the release of Marc Gonsalves, Keith Stansell, and Tom Howes would come from a Congressional investigation; at least it would show that a united effort is being made.

Sincerely,

(b)(6)



Cc: Chairman Tom Davis
House Government Reform Committee

Regarding the matter in my letter to you on Oct. 27, 2003.

CONFIDENTIAL

To: Honorable Rep. John Doolittle
c/o Brian Johnson
Fax: (916) 786-6364

From: Sharon Schmidt
Date: 12/12/2003

Re: Copy of letter sent to A.C. Newman
pertaining to Gerber Life policies PAI-
20214 ADD-2021 Pages: 2

cc: U.S. Dept. of Labor, S.F. Div., Gerber
Life Insurance; Mr. Wesley Protheroe
Rep. John Doolittle, Rep. Jan

☐ Update ☒ Review ☐ Please Comment ☐ Please Reply ☐ Please Reply

Please forward a copy of my letter to A.C. Newman claims manager, Eric Wong

I would consider Life Insurance Company to review and reconsider my claims, PAI-2021 and ADD-2021. A.C. Newman has concluded that insurance coverage ended 6 days before "contribution" was paid. The insurance benefit was "earned" on March 23, 2003, and paid for on March 28, 2003.

I request copies be immediately sent to me of all documents used by A.C. Newman to render his denial(s), including the correspondence from Nordrop Grumman claiming that Tommy had been "terminated" since such a contention surfaced only after my husband's death. Please be advised that if my husband had been "terminated" he would have still been covered by the Gerber conversion option as stated in Amendment #3, Jan. 1, 2003.

Please review my husband's last earnings statement before his death once more. You will see that the date you say coverage ended is not the date coverage ended, but simply the period in which benefits were earned, not ended! This is not the period of time covered by the "contribution" paid on March 28, 2003. You should also confirm with Gerber Life Insurance Company that they received the "contribution" on March 28, 2003.

If my husband's employment with Nordrop entities had ceased, then you need to get Nordrop to provide you with a copy of Tommy's signed application for Gerber's conversion policy as stated in Amendment #3 (1/1/2003). Otherwise, Nordrop should provide you with a signed document stating that Tommy was voluntarily giving up life insurance coverage for his high risk job in a war zone.

As human beings, we cannot relate to
a name without a face.
This was Tommy; this was
my life.

