

abroad by putting these brave men and women first in line at home to find a job, provide for their families, and to realize the American Dream.

#### CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from North Carolina (Mr. JONES) is recognized for 60 minutes as the designee of the majority leader.

Mr. JONES. Mr. Speaker, 13 years ago, on April 8, 2000, 19 marines lost their lives in a tragic plane crash at Marana Regional Airport in Arizona. The Marine Corps attributed partial blame for the crash to error on the part of the pilot, Lieutenant Colonel John Brow, and the copilot, Major Brooks Gruber. The Corps' decision to assign blame to the pilots has been a point of controversy ever since the year 2000.

Mr. Speaker, 2 years after the accident, I received a letter from Major Gruber's wife, Connie, who actually lives in the district that I represent, the home of Camp Lejeune Marine Base and New River Air Station. I will quote from her letter to me that I received in 2000:

I contacted you in hopes that leaders of integrity, free of bias, would have both the intelligence and the courage it takes to decide the facts for themselves. If you do that, you will agree the "human factor/pilot error" findings should not stand as it is in military history. Again, I respectfully ask you for your support. Please do not simply pass this matter along to General Jones without offering the support my husband and his comrades deserve. Please remember, these 19 marines can no longer speak for themselves. I certainly am not afraid to speak for them, and I believe someone has to. Even though it is easier put to rest and forgotten, please join me in doing the right thing by taking the time to address this important issue.

Mr. Speaker, she further stated:

With so many wrongs in the world we cannot make right, I ask that you prayerfully consider an injustice that you can help make right. I realize you alone may not be able to amend the report, but you can certainly support my efforts to permanently remove this black mark from my husband's honorable military service record. Military leaders continue to refuse to amend this report, but I am certain that there must be other means of making this change. Given the controversy of this aircraft and the Marine Corps' vested interest, surely there is an unbiased, ethical way to rightfully absolve these pilots. Please help me by not only forwarding my request but also by supporting it.

Mr. Speaker, I hold up now a photograph of the V-22 Osprey. The Osprey is a very unique plane. At the time of this accident in the year 2000, it was an experimental plane. These two pilots, John Brow and Brooks Gruber, were not experimental pilots. They had no training in flying an experimental plane. This plane itself should never have been asked to do what was done that night. In fact, Secretary of Defense Dick Cheney was trying to eliminate the V-22 program. I was in Con-

gress at the time, and I remember vividly that it was a major fight here in Congress as to whether we were going to fund the V-22 program or not fund the program.

Again, Secretary of Defense Cheney wanted to scrap the program. The Marine Corps wanted the V-22. They were convinced this was a plane that they needed desperately. There were two pilots, one of Nighthawk 71, which was the lead plane that actually landed without too much trouble, even though it did have a hard landing, and in the second plane behind them was Nighthawk 72. That was the plane that crashed and killed 19 marines.

Since receiving Connie Gruber's letter, I have done everything in my power over the last 12 years to clear the names of Lieutenant Colonel John Brow and Major Brooks Gruber. What has frustrated me was the Marine Corps will not acknowledge that these pilots could not be and should not be held at fault because they had no training in the V-22.

There was an issue known as vortex ring state. Mr. Speaker, anyone that flies, particularly helicopters, would understand that term, "vortex ring state." But at the time of this accident, Bell-Boeing, who produced this V-22, and the Marine Corps had no idea of how pilots would react to vortex ring state with the V-22.

Mr. Speaker, I have brought a little model to the floor, with the approval of the House, that will show that the plane can go from a helicopter mode to a plane mode, where it flies just like a regular plane. But at this point, again, Bell-Boeing and also the Marine Corps did not understand vortex ring state and how it could impact this plane. When this plane is coming down, following behind, Nighthawk 72, what happened was that the vortex ring state really made this plane just flip over, and the plane crashed and 19 marines were burned to death.

□ 1530

Mr. Speaker, the wives of these two pilots, John Brow and Brooks Gruber, all they're asking—the lawsuits are over. Bell-Boeing has been sued for millions and millions of dollars—it hasn't been disclosed, so no one knows the exact figure. But I can tell you, after talking to the attorney for Connie Gruber and Trish Brow, that the lawsuits are over. I've spoken to Brian Alexander, who handled the lawsuits for 17 of the 19 families in New York. He said the lawsuits are over.

So basically all we're asking the Marine Corps to do is to please just issue a letter to Connie and Trish that clearly states that: Your husband, flying this V-22, was not prepared on how to handle vortex ring state because Bell-Boeing and we, the Marine Corps, did not understand it either, so how can we train pilots if we don't understand what we're trying to train them in.

So, therefore, it's been a very frustrating 10 or 12 years of trying to get

the Marine Corps to bring peace to John Brow and Brooks Gruber.

Mr. Speaker, Rich Whittle, with whom I've had many conversations, wrote the book called "The Dream Machine." It's the history of the V-22 and all the problems it's had along the way and all the fights that we've had in Congress and outside of Congress to make this plane a reality for the Marine Corps. But something I want to read from his book, "The Dream Machine." We're talking about vortex ring state, Mr. Speaker:

Where the actual line existed for the Osprey was something the program's developmental test pilots had not determined, though hundreds of test flights to explore that part of the Osprey's envelope had been planned.

They had planned, Mr. Speaker, to have hundreds of tests, but it further states:

Nolan Schmidt, the Osprey program manager and a Marine Corps colonel at the time, told me years later that those tests were scrapped in 1998 to save time and money. The Navy Department was going to cut the Osprey program's budget for the coming fiscal year by \$100 million, Schmidt said. After consulting with the Boeing engineer in charge of flight-testing, Philip Dunford, Schmidt said, the program managers decided they could save about \$50 million and a lot of time if they didn't do all the tests planned for the Osprey at high rates of descent.

Mr. Speaker, again, these pilots in Nighthawk 72, following behind Nighthawk 71, were descending, and yet no one knew what the parameters were—the pilots did not know the parameters, the Marine Corps did not know the parameters, and neither did Bell-Boeing. So how in the world could these pilots be held responsible? It is absolutely unfair.

I can honestly tell you at the time I knew General McCorkle. He was the general that oversaw marine aviation. His assistant at the time was Brigadier General Amos, who now is the Commandant of the Marine Corps. They knew at the time that the V-22 was under tremendous pressure by Secretary of Defense Cheney to scrap the program.

Sadly I say this—because I know both these gentlemen, they're very fine fellows, but I will say this: that dead men can't talk. These two pilots had no one to speak for them but their wives—Connie Gruber down in Jacksonville, North Carolina, and Trish Brow over in Maryland. And they have children. Trish has two young boys and Connie has a beautiful little girl named Brook.

Mr. Speaker, that's why this has become an obsession with me, quite frankly. I'm not an expert in flying. I know nothing about how to keep a plane in the air to be honest with you. But Mr. Speaker, I have had so many people to join me in this effort, and one of those people is an expert named Rex Rivolo. In fact, he was working with the V-22 program when he was in the Department of Defense, and I want to read his comments, Mr. Speaker, for the RECORD:

The failure of the manufacturer, Bell-Boeing, and the Navy to characterize the slow-speed, high rate of descent handling qualities of the V-22 through flight testing, the failure to describe them for the air crew and the failure to provide an adequate warning system in the aircraft were the causes of the mishap—not air crew error.

Following the mishap and my discovery of the facts, I became very vocal within the V-22 community in my attempt to clear the air crew of blame. However, it quickly became clear that the community well-understood the causes but was committed to placing the blame on the air crew, as blaming the aircraft at this time would have jeopardized the MV-22 Program, which was, and remains, the highest priority of the U.S. Marine Corps.

Mr. Speaker, that in itself is so sad, that this expert, an engineering expert in aerodynamics, would make this kind of statement, but I just read it for the RECORD, Mr. Speaker. He knew and he knows that at that time these two men, who had no one to defend them, had to take the blame to save the program.

Mr. Speaker, America's greatness is because we are a country of integrity and honesty. I've done research on this and found out that people that knew these men, that flew with them—their fellow marines—would tell you today that John Brow and Brooks Gruber were not prepared for what happened—and no other one who flew a V-22 at the time understood vortex ring state and how to react to it.

Mr. Speaker, now that the program has been saved, there is no reason that the Marine Corps cannot give a letter to Connie Gruber and Trish Brow clearly stating that at the time, April 8, 2000, that we, the Marine Corps, and Bell-Boeing, the manufacturer, we did not understand vortex ring state because no one had done the testing because they cut the programs, they cut the testing.

Mr. Speaker, truthfully, what is so ironic, shortly after this crash on April 8, Bell-Boeing paid Tom MacDonald, an experimental pilot who spent over 700 hours flying the V-22 time after time, time after time and getting it into the vortex ring state and then figuring out how the pilot should react to it. Mr. Speaker, because of that work by Tom MacDonald, we now have warning systems in the V-22 that pilots, when they get into vortex ring state, the warning system starts lighting up on the panel. They hear a sound in the headphones that says "sink, sink, sink." So they know exactly how to handle vortex ring state. But John Brow and Brooks Gruber did not know how to handle vortex ring state.

I continue to call on the Marine Corps to do what is right. The Corps has one of the greatest respects of the American people because of integrity and courage. Well, Mr. Commandant, the right thing to do is to prove integrity and courage by giving the two wives one paragraph.

Mr. Speaker, further, I've had so many people to help with this effort. The Assistant Secretary of Defense and the director of operational test and

evaluation at the time of the crash in 2000 was Philip Coyle. He has joined in this effort with Rex Rivolo. And I read what Philip Coyle said:

There is a rush to blame pilots, and to cite factors that relate to pilot performance, rather than cite the true root causes of accidents. The design and detailed engineering in an aircraft or vehicle often is at the root cause of an accident. If a particular make or model of automobile was crashing too often, say Toyota or Chevy, people wouldn't blame the drivers; they would say that something is wrong with the automobile. The Marine Corps has always seems to blame the pilots.

Mr. Speaker, this is why this has become a passion for me personally. And I could not be where I am today without so many experts—I mentioned two today, Phil Coyle and Rex Rivolo—who have joined me. I want to mention Jim Schafer. Jim's call name was "Trigger." He was actually in the air at the time of this plane crash. He saw his friends go down and burn.

Mr. Speaker, this is not right for these two wives to carry the pain now almost 13 years—April 8 of 2000, and we've already passed April 8 of 2013. All they're asking the Marine Corps for is a simple letter to just state: At the time, we did not understand, Bell-Boeing didn't understand, so, therefore, we couldn't train your husbands. So, therefore, your husbands could not have known how to react.

Now they have all these warning systems that I just mentioned a moment ago.

Mr. Speaker, I am not going to let this go. In fact, I have a meeting with the Secretary of Defense, Chuck Hagel, on the 10th of July—he has already confirmed the date. I have accumulated so much information on this issue that I probably could have a small library that people could come in and research this accident. But I have great respect for Chuck Hagel. I remember him as a Senator when I came out against the Iraq war and I was getting beaten up down in my own district down in eastern North Carolina. I did not know Senator Hagel at the time, but he called me up and left word. I returned his call. He said, "Congressman, you're right, Iraq was an unnecessary war, I want to meet with you." So I went over and met with him, Mr. Speaker. He had his staff spend weeks to show me maps on Iraq and the fact that there were never weapons of mass destruction.

□ 1540

For that I'm of the firm belief that I will meet with him for 30 minutes—that's all he could give me—and I think he will understand that this is not about me, WALTER JONES. This is about honor, this is about respect; and the two dead pilots deserve this, Mr. Speaker.

Just a few more points, Mr. Speaker, before I close. Curt Weldon, when they were fighting this program—Secretary Cheney was fighting this program—in '98, '99, and 2000, especially after this crash, the one man in the Congress,

Mr. Speaker—and I was here at the time and I can attest to this—was Curt Weldon, a Congressman from Pennsylvania, who took on the administration, that took on Dick Cheney and said, we've got to have this program, we've got to have this program for the Marine Corps, the Marine Corps wants the V-22, and this is their present and this is their future plane.

Curt Weldon now, Mr. Speaker, has joined me, and I want to share from a letter. Curt Weldon, these are his words:

I have found it outrageous that the Marine Corps has willingly failed to fully clarify the improper characterization that pilot errors may have contributed to the tragic accident of Nighthawk 72. I join with Lieutenant Colonel Ron Radich, Retired United States Marine Corps, a member of the JAG Investigation Team for the April 8, 2000, MV-22 accident in his assessment that "it would be morally wrong" to place the blame on the pilots of Nighthawk 72. Everyone, save the most senior leadership of the United States Marine Corps, has acknowledged that the Marine Corps must formally acknowledge the facts and summaries of the investigations and publicly and clearly restore the outstanding commitments and reputation of these two brave marines—there can be no wavering and no innuendo—facts are facts.

You have my unwavering support to appear at any public event and/or congressional hearing to set the record straight regarding the need for United States Marine Corps leadership to stop "playing games" and once and for all correct the public record regarding the Nighthawk 72 incident and fully clear the names of these two American heroes.

Mr. Speaker, I want to read that one more time, just to close, by Curt Weldon, a former United States Congressman, who fought and saved the V-22 program for the Marine Corps. He saved the program.

You have my unwavering support to appear at any public event and/or congressional hearing to set the record straight regarding the need for United States Marine Corps leadership to stop "playing games" and once and for all correct the public record regarding the Nighthawk 72 incident and fully clear the names of these two American heroes.

Mr. Speaker, there are so many people who have joined me in this effort. I'm going to name a few. The three investigators, now retired, but at the time Colonel Mike Morgan, a helicopter pilot himself; a lawyer, Phil Stackhouse; and Lieutenant Colonel Ron Radich, who I just made reference to in Curt Weldon's statement.

These three men were sent to Arizona the day after the accident. Mr. Speaker, they were sent there to investigate the wreckage, the burned wreckage that killed 19 marines. All three of these men, Mr. Speaker, have joined me in strong letters to clear the names of John Brow and Brooks Gruber.

I made reference earlier to Colonel Jim Shafer, a V-22 pilot, friends of these two pilots. He also has joined in saying that at the time we did not understand vortex ring state, at the time we did not understand how vortex ring state would impact on the V-22 Osprey. Mr. Speaker, again, I hold this up because the Osprey is a unique plane. It

goes from a helicopter mode until it goes to like a plane just flying with the propellers in front of it, and then it goes back up. But Jim Shafer has said that John Brow and Brooks Gruber do not deserve the blame for this accident.

I made reference to Dr. Rex Rivolo in my comments earlier, Mr. Speaker. He's a strong proponent of clearing the pilots' names.

Brian Alexander, I made reference that he had handled the lawsuits for 17 of the 19 families whose young sons were killed.

Jim Furman, who was the attorney for the two pilots, John Brow and Brooks Gruber, their families.

Eric Thorson, a former aircraft investigator for the United States Air Force, he's actually joined us in this as well.

And I mentioned Phil Coyle, because Phil Coyle has said he was on the inside, he saw it. These pilots could not be held at fault because they were not to blame.

Danielle Brian, executive director, Project on Government Oversight, she's joined in this effort.

And Bob Cox, a reporter for the Fort Worth Star.

Mr. Speaker, I will close in just a few minutes, because I want to thank the staff for staying on to give me this opportunity to talk about this issue.

I have made a promise to Connie Gruber in Jacksonville. Her husband, Brooks Gruber, is buried down in the cemetery, Veterans Cemetery in Jacksonville, North Carolina. I have met Trish Brow and her two boys, Mark and Matthew. I've taken them to lunch here in the Members' dining room. Both those ladies have my promise, Mr. Speaker, that if we ever get just one paragraph, that I would like to go to the cemetery at Arlington and stand there with Trish and Matthew and Mark and say: "Colonel, rest in peace. You will never be blamed again for this accident because you were not at fault."

Then I want to go to the cemetery in Jacksonville, North Carolina, with Connie and her little girl, Brooke. Brooke was a baby when her daddy was killed. She's a beautiful little girl of 12 now, I guess soon to be 13. She never knew her daddy. She has just seen pictures of him holding her as a little baby and smiling at her. That just made it very, very special.

These two men deserve in the eyes of God to be cleared. I am not the smartest man in Congress, and I do not profess to be one; but God gave me a big heart, and he put this on me almost 13 years ago. And what I have found out, Mr. Speaker, is we are right. We are right. The Marine Corps is wrong in this situation. The experts who helped develop the V-22 have said: We are right and the Marine Corps is wrong. Curt Weldon who fought so valiantly to save the program deserves the credit. He's joined and said these two men deserve to be cleared.

Mr. Speaker, I remember vividly a quote from Voltaire:

To the living we owe respect, to the dead we owe the truth.

That's all this is all about, the truth that these two marines were not trained, did not understand, nor did Bell-Boeing, nor did the Marine Corps. They were not trained as to how to handle the vortex ring state.

We have gotten a little bit further in the last year, but recently the Marine Corps rejected a letter that the wives had signed off on if they could change two words. And the two words are the same word, the word "solely," the word "solely." The pilots are not "solely" at fault.

Mr. Speaker, that bothers me because I know, and the Marine Corps knows, that they were not trained. Now, if they had been trained as to how to react and respond to vortex ring state in the V-22, then I might be able to accept that word "solely." But how in the world can you say that pilots who were not trained because Bell-Boeing did not know how to handle vortex ring state in the V-22, the Marine Corps did not understand it, so if they didn't understand it and they didn't train the pilots, how could they be "solely" responsible?

□ 1550

That is absolutely unacceptable to the wives, and it is unacceptable to me. So therefore, again, Mr. Speaker, I am going to meet with Secretary Hagel on the 10th of July. I will be prepared. I only have 30 minutes, but that's fine. I know he's a busy man with all of the problems facing our military and the world; but if he'll give me 30 minutes, I will show him in 20 minutes why these pilots should not be held responsible for this accident.

Mr. Speaker, I want to thank you and the staff for giving me this extra time. This is one of these things that is a religion with me. I don't fly much. I've been in a few small planes, and I cannot imagine the panic of these two fellows, knowing that they've got 17 young marines, privates and corporals, sitting in the back of this plane and how they must have felt. I don't know. God knows their hearts, because He was with them when they went down, but all I can think of is the panic of something you had not been trained to handle, the panic of, What do we do now?

Brooks, John, what do we do now? We've got seconds, seconds.

And then the plane flips and burns.

I ask God to touch the hearts of the United States Marine Corps and of the commandant. The commandant now is a fine gentleman—I know him, and I have respect for him—but he was there the day and the night of this crash.

The whole reason for this mission was to show the anti-V-22s and Secretary Dick Cheney that this was a remarkable plane, this V-22 Osprey, because they could show how they could descend so quickly and recover some Americans that would be held by terrorists. That was the mission they were

on in Marana, Arizona—to show the world that this plane was unique and that it could land and descend quickly and hit the ground and get these people out. Well, the problem was that no one understood the parameters of this plane and how it should descend; so, therefore, these 19 marines were killed.

Mr. Speaker, I hope to be back on the floor right after the Memorial Day break before I meet with the Secretary of Defense, Chuck Hagel, and talk about this again. I believe sincerely that we are all stronger people and better people when we admit we've made a mistake, and when an organization that the American people love so much like the Marine Corps—and I love the Marine Corps, but quite frankly, when they will not give Connie and Trish a little paragraph, like I have already said three times today, which clearly states that their husbands were not at fault, it is very disappointing to say the least.

Mr. Speaker, in closing, as I do on the floor when I think about all of our men and women overseas in Afghanistan and Iraq, I am going to ask God to please bless our men and women in uniform and to please bless the families of our men and women in uniform.

I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

I am going to ask at this time that God touch the hearts of the United States Marine Corps to give peace to the families of John Brow and Brooks Gruber.

I will ask God to please bless the House and Senate, that we will do what is right in the eyes of God for God's people today and God's people tomorrow.

I will ask God to please bless the President of the United States of America, that he will do what is right in the eyes of God for God's people today and God's people tomorrow.

And three times I will say, God, please, God, please, God, please, continue to bless America.

Mr. Speaker, I yield back the balance of my time.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1703

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BURGESS) at 5 o'clock and 3 minutes p.m.