

RECORD VERSION

STATEMENT BY

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BEFORE THE

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COMMITTEE ON COMMERCE, SCIENCE & TRANSPORTATION
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NTSB Preliminary Report: The DCA Mid-Air Collision

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COMMITTEE ON COMMERCE, SCIENCE & TRANSPORTATION**

INTRODUCTION

Chairman Moran, Ranking Member Duckworth, distinguished members of the subcommittee, thank you for the opportunity to appear before you today to discuss the accident that occurred between an Army UH-60 Black Hawk helicopter, call sign Priority Air Transport (PAT) 25, and American Airlines Flight #5342, operated by PSA Airlines in the vicinity of Reagan National Airport.

First and foremost, on behalf of Army leadership, and our fellow Soldiers, we send our continued condolences to all those affected by this tragedy. We thank the professional work of the first responders and the countless Federal, State, and local agencies that responded to the crash site and aided in the recovery effort. Specifically, I want to thank the National Transportation Safety Board (NTSB) for continuing to conduct a thorough investigation and facilitating a close and transparent working relationship with the Army. I will defer to NTSB on questions specific to the ongoing investigation, but I can offer the Army perspective on the preliminary report and provide clarifying information on Army helicopter operations in the National Capital Region (NCR) in general.

TAAB HELICOPTER PROCEDURES

The Army Aviation Brigade (TAAB) operates at Fort Belvoir, Virginia, and includes the 12th Aviation Battalion, which provides continuous, responsive rotary wing aviation support to senior military and government leaders in the NCR to enable continuity of government operations and defense support of civil authorities. The unit has operated in the Washington, D.C. Metropolitan area since 1957, flying on average 5,800 hours annually, the bulk of which – 80 percent – are

mission rehearsals, exercises, and individual crew flights to build proficiency for their assigned mission.

The term “training flight” has been frequently used to describe PAT 25’s mission on January 29th and does appear to be a source of some confusion. For clarity, a “training flight” in military vernacular is a general term used to refer to any flight that is not performing directed mission support. For TAAB aircrews, “training flights” refer to unit-led mission practice, mission validation flights with external agencies, and flights to build readiness and proficiency to execute TAAB’s mission. TAAB training flights may involve operating at sensitive locations. New Army pilots learn to fly at Fort Novosel, Alabama, where they complete an initial course in a trainer helicopter before advancing to graduate level courses in the advanced airframes they’ll operate when they join their units. Pilots who join TAAB are already qualified pilots prior to their arrival to the unit.

All TAAB aircrews receive unit-tailored academic and flight training to ensure an understanding of routing and zone structure to conduct flight duties within the NCR, as well as the Federal Aviation Administration (FAA)-required academic training to operate in the Washington, D.C. Special Flight Rules Area (SFRA). The regulatory requirements are routinely reviewed, and aircrews are tested annually to maintain proficiency and currency. It is a mandatory Army requirement for aircrews to conduct day, night, and night-vision goggle (NVG) flights in the local area to ensure readiness to support TAAB’s 24-hour mission. TAAB aircrews are also required to conduct an annual proficiency and readiness test (APART) all Army aircrews must complete in order to evaluate individual and crew proficiency.

All TAAB aircraft meet the requirements to operate within the Class B airspace and helicopter routes in the Washington, D.C. SFRA and the Flight Restricted Zone (FRZ). When operating in the D.C. area, all TAAB operations are under positive control by designated FAA facilities within the SFRA and FRZ.

The Army is one of dozens of organizations that fly helicopters in the NCR. A 2021 Government Accountability Office (GAO) Report on Helicopter Noise Concerns (GAO-21-200) found between 2017 and 2019 over 50 helicopter operators conducted approximately 88,000 helicopter flights within 30 miles of DCA. Of those, 32,890 (37.4%) were conducted by the military.

PAT 25

PAT 25 was a UH-60L Black Hawk helicopter assigned to 12th Battalion, TAAB, operating at Davidson Army Airfield, Fort Belvoir, Virginia. The crew of three were fully qualified to fly in the local area. The Pilot-In-Command, Chief Warrant Officer 2 Andrew Eaves, was a unit Instructor Pilot. The Co-Pilot, Captain Rebecca Lobach, was also a qualified Pilot-In-Command, and the Crew Chief, Staff Sergeant Ryan O'Hara, was a Standardization Flight Instructor.

The night of January 29, 2025, PAT 25 was conducting an APART on Captain Lobach. The flight included operations in and around the D.C. Metropolitan area and the aircraft was transiting south to Fort Belvoir via the FAA-established helicopter routes when the accident occurred. During an APART, the evaluated crew member could expect to fly under day, night unaided, and NVG modes of flight.

ARMY ADS-B POLICY

The use of Automatic Dependent Surveillance-Broadcast (ADS-B)-Out transponders is an FAA requirement for operating in Class B airspace and all TAAB aircraft are equipped with ADS-B-Out systems. However, due to the proliferation over the past decade of flight tracking software capable of collecting sensitive flight data available to the public, the FAA published an exception, removing its ADS-B transmission requirement for sensitive operations conducted by Federal, State, and local government entities in matters of national defense, homeland security, intelligence, and law enforcement when transmitting would compromise the operations security of the mission or pose a safety risk to the aircraft, crew, or people and property in the air or on the ground.

At the time of the accident, Army policy was to restrict ADS-B Out-Off operations to sensitive or classified missions and require Commanders with moderate risk approval authority – which at the time could be delegated to low-risk approval authority – to determine when and whether ADS-B Out-Off operations are required. Army policy does not authorize ADS-B Out-Off operations for routine, non-sensitive, or non-classified missions and always requires aircrews conducting ADS-B Out-Off operations to operate their transponder in Mode 3 A/C which emits information required by air traffic services but with less identifying information. Mode S transponders present similar operational security concerns as ADS-B and its use is subject to the same Army policy.

Aircraft Operating with ADS-B Out-Off but with Mode 3 A/C On are visible to Air Traffic Control (ATC) and other aircraft in the vicinity that are equipped with Traffic Collision Awareness Systems (TCAS). NTSB is still investigating whether PAT 25's ADS-B-Out system was operating as designed, not programmed, or turned off at the time of the accident.

ARMY INTERIM RESPONSE

Immediately following the accident, the 12th Aviation Battalion paused all operations to allow Army and unit leaders the time required to adequately assess mission requirements. On February 10, the 12th Aviation Battalion returned to flight operations with Army-emplaced limitations on flights around the Pentagon and Reagan National Airport. The Army is reviewing NTSB's preliminary report and is currently reviewing all Army helicopter operations in the NCR, to include its Department of Defense mission requirements.

The Army has also issued interim guidance to the force to elevate the level of risk approval authority to operate with ADS-B Out-Off and will formally update its policy as the NTSB-led investigation continues. The Army is also investigating the utilization of the Army's current policy by the TAAB to determine the frequency with which the unit operated with ADS-B Out-Off and whether the policy was applied correctly.

CLOSING

The Army is committed to a transparent and collaborative review of the events of January 29th and of helicopter operations in the vicinity of Reagan National Airport. I have reviewed NTSB's preliminary report, and I assess that implementing its findings and recommendations would not

negatively affect Army helicopter operations. The Army along with other military Services and other agencies that operate helicopters in the NCR will participate in an FAA-led working group to develop a new helicopter route that supports national security, law enforcement, and medical helicopter flight operations. This new route will replace the legacy Route 4, enhancing efficiency for critical missions while maintaining the highest safety standards as recommended by NTSB in the preliminary report.

We are working to ensure any actions we take in response to the accident are fully informed by fact-based conclusions that come out of the investigations which are ongoing. When the NTSB and Army investigations are complete, the Army is prepared to evaluate and comply where able with future recommendations to mitigate risk while operating in the NCR and other areas with congested airspace. We fully support all efforts to ensure a tragedy such as this is never repeated.

Thank you again for this opportunity to appear before the committee and I look forward to answering your questions.