

EXHIBIT A



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"I will stand for my client's rights.
I am a trial lawyer."
-Ron Motley (1944-2013)

May 2, 2022

VIA Public Access Link (PAL)

Headquarters Air Force/AII (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000

Re: Decedent: 1st Lt. David Schmitz
Date of Accident: June 30, 2020
Location: Shaw AFB, SC
Aircraft: F-16CM Fighting Falcon

To Whom It May Concern:

The legal authority for this request is by and authorized pursuant to DoD Directive 5400.7(reference (b)), and it is being made under the Freedom of Information and Privacy Act.

Background:

This Freedom of Information Act request is related to the crash of a United States Air Force F-16CM aircraft (Tail Number 94-0043) that occurred on 30 June 2020. The accident aircraft was assigned to the 77th Fighter Squadron, 20th Fighter Wing at Shaw Air Force Base (AFB), South Carolina.

Please consider this a request for the report and supporting documents concerning the Exercise of Waiver Authority with respect to certain aircraft ejector seats as required to be provided to congressional defense committees no later than February 1, 2022, and on a semi-annual basis, as set forth in HR 4350-FY22 National Defense Authorization Bill, page 11, as follows:

SEC. 1 _ [Log 73481]. REPORTS ON EXERCISE OF WAIVER AUTHORITY WITH RESPECT TO CERTAIN AIRCRAFT EJECTION SEATS.

Not later than February 1, 2022, and on a semi-annual basis thereafter through February 1, 2024, the Secretary of the Air Force and the Secretary of the Navy shall each submit to the congressional defense committees a report that includes, with respect to each location at which active flying operations are conducted or planned as of the date report –



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1. The number of aircrew ejection seats installed in the aircraft used, or expected to be used, at such location;
2. Of the ejection seats identified under paragraph (1), the number that have been, or are expected to be, placed in service subject to a waiver due to –
 - a. Deferred maintenance; or
 - b. The inability to obtain parts to make repairs or to fulfill time-compliance technical orders; and
3. For each ejection seat subject to a waiver as described in paragraph (2) –
 - a. The date on which the waiver was issued; and
 - b. The name and title of the official who authorized the waiver.

Materials and Shipment

If you deny all or part of this request, please cite the specific exemptions you believe justify your refusal to release the information and notify me of your appeal procedures available under law. In excising material, please “black out” rather than “white out” or “cut out.” Please respond to this request within 20 working days as provided for by law.

I agree to pay whatever fees are incurred to complete this request. However, I request that prior to your incurring any fees in excess of \$100.00 that I be advised of the total estimate. Please mail materials to:

Dana Miller
Motley Rice LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464

Please contact me directly at 843-216-9206 if you would prefer to send the response via our secure Sharefile site.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dana Miller'.

Dana L. Miller
Paralegal
/dlm