

NATIONAL AIR DISASTER ALLIANCE / FOUNDATION (NADA/F)

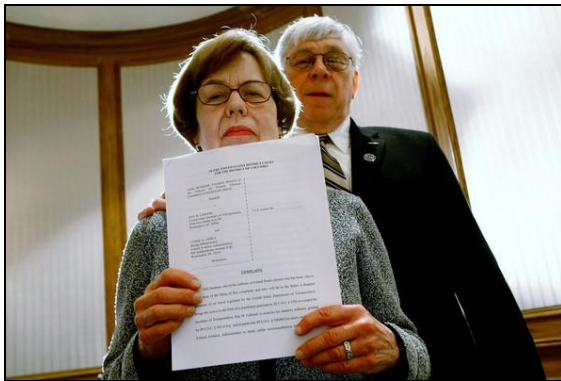
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www.PlaneSafe.org



Don McCune Matt Ziemkiewicz, Jack Murphy, Mary Schiavo, Dotty Strobel and Alice Murphy



Alice & Jack Murphy with a copy of the lawsuit:
Gail Dunham, Executive Director of the
National Air Disaster Alliance/Foundation,
in per personal capacity, **PLAINTIFF**
vs.
Ray H LaHood, **U.S. Secretary of Transportation,**
and Lynne A Osmus, Acting Administrator,
Federal Aviation Administration, DEFENDANTS

UPDATE on the ICING Lawsuit against the FAA and the DOT

Filed February 24, 2009 to demand an end to “dèjà vu disasters,” and to move forward Icing Regulations to prevent aviation disasters such as the following, and more:

Continental Connection 3407	February 12, 2009	Buffalo NY
American Eagle 4184	Halloween Oct. 31, 1994	Roselawn IN
Comair 3272	January 9, 1997	Monroe MI
Canadair, Global Air 73 (Ebersol crash)	November 28, 2004	Montrose CO
Platinum Jet Management (Indictments and convictions followed the Teterboro investigation)	February 2, 2005	Teterboro NJ
Martin Air, Cessna (the Circuit City crash)	February 16, 2005	Pueblo CO

Thank you to Don McCune, a retired airline pilot, and Mary Schiavo with MotleyRice.com for the excellent legal work that made this lawsuit possible.

One in every four U.S. passengers flies a commuter airline, yet 7 of the last 8 fatal disasters in the U.S. involved smaller carriers.

Rushing to “blame the pilots and close the case” instead of a complete examination of the aircraft will cause more loss of life in the future. The NTSB and the public blamed the pilots of prior Colgan flight 9446 and Pinnacle flight 3701, but subsequent litigation showed the aircraft in each case was also to blame.

Certification. CO3407 was a Q-400, Dash-8, and major design changes were grand-fathered in from the original 100 series. A thorough Certification process by the FAA should be mandated for all new aircraft.

A long pilot commute was also blamed for CO3407 because the cockpit crew members flew to work the flight; however, they could have worked the flight they flew to New Jersey and still have been “legal” to work CO3407. Safety is compromised when pilot pay is so pathetically low.

The current FAA Re-authorization bill addresses pilot fatigue, training, and improves PRIA, the Pilot Records Improvement Act of 1996, passed by NADA/F founding members in 1996. PRIA was the only legislation to allow pilot background checks and hopefully it will be strengthened with the new FAA bill. Recent poor pilot performance is unacceptable.

August 3, 2009 the FAA did publish a Final Rule for Activation of Ice Protection, which requires **new** transport airplane designs to require either the automatic activation of ice protection systems, or a method to tell pilots when they should be activated.

The Rulemaking is important, but there is still much work to do. **November 2009** the FAA proposed a rule change to require installation of ice detection equipment or changes to procedures for some **existing aircraft**. We want this to be progress, real change, and soon.

August 2009 NADA/F withdrew the lawsuit as the FAA had published Icing Rulemaking. Lynne Osmus had left the FAA, and we also did not want to Amend the lawsuit to sue the new FAA Administrator, as Randy Babbitt and others are working hard to improve the safety culture at the FAA, and we want to work with them for our shared goals.

NADA/F can re-instate the lawsuit at anytime.

The following documents on our website also tell the story. Go to **SAFETY** and **ICING** for the links.

Filed Complaint A Mandamus Action to compel a U.S. government official to perform his statutory duty...

“Demanding an End to Déjà vu Disasters” Important overview of **13 aviation disasters**, and **15 years of documented NTSB recommendations and FAA responses**.

Press Release, “International Safety Experts and Advocates call for an end to Déjà vu disasters: Declaratory Action and Mandamus Filed Against D.O.T. to Compel Action on 15-year-old NTSB Safety Recommendations.”

Overview of commuter aircraft disasters in the U.S. for January 8, 2003 to February 12, 2009

Video: “Federal Government slapped with lawsuit”

GAO-10-441T Go to: www.GAO.gov February 24, 2010 “Preliminary Information on Aircraft Icing and Winter Weather Operations.”

NADA/F MISSION: Safety, Security, Survivability, and Support for Victims’ Families



**Alaska Flight 261 - 10th Memorial - January 31, 2010
"We Remember Them With Love"**

AS261 family members have honored their loved ones in so many ways. Many are also members of NADA/F.

- ** Established an impressive and peaceful memorial monument dedicated to the passengers and flight crew,
- ** A special 88 candle tribute is held each Jan. 31st in Seattle WA
- ** Established a number of Community Memorials such as a playground, ball field complex, park improvements, and more.

Their work to improve air safety includes:

- ** Improve communications with all parties following a disaster,
- ** Efforts to incorporate confession and forgiveness into tort claims,
- ** Working with the FAA to improve its oversight of airlines, and much more. . .

Thank you! Your dedication is amazing!

Alaska 261 Sundial at Port Hueneme CA. Dedication was Jan. 31, 2003 (photos at www.PlaneSafe.org)



USAir 427 – 15th Memorial – Sept. 8, 2009

(left photo): The US427 family members worked hard to purchase the land at the crash site to preserve a peaceful memorial. Merrilee Morris, Jeannie & Randy Voth.

There is also a monument at the Sewickley Cemetery.

(right photo) Joan Barbish Gaspersic, Joanne Shortley-Lalonde, Denise Sherbak, Donna Weaver and Donna Gingrich

In 1994 the USAir 427 family members saw a need to help other family members for the long term and, working with other Founding Members, their leadership incorporated NADA/F in Pittsburgh on August 1, 1995. They were also active with other NADA/F Founding Members who wrote, promoted and passed the Family Assistance Act, which has helped thousands of air crash survivors and family members since that time. **Thank you for all that you have done for others!**



NADA/F Support for Victims' Families . . .

Recent meetings include:

Meeting with American Association of Airport Executives regarding support for victims' families. Kim Kenville with NADA/F members Jack and Alice Murphy, Allison Fahey Schorgl, Matt Ziemkiewicz and Gail Dunham

Gail Dunham, Matt Ziemkiewicz and Jillian Smith Gustafson recently met with Japanese officials in Washington D.C. to discuss support for victims' families following a disaster.

Saturday, May 8, 2010 – NADA/F Regional Lunch at Hoofdstraat, The Netherlands. Email GADunham@aol.com for more information.

October 8 – 10, 2010 - NADAF Annual Meeting, Arlington VA. Special NADA/F rate of only \$99, including breakfast, at the DoubleTree Hotel, and \$10 registration. The Annual Meeting will include outstanding Guest Speakers, Awards to those who have made a difference, our BOOKS table, and more. Our members always have so much to share with each other. Join us to learn more!

PlaneSafe@gmail.com We encourage members to keep us apprised of your current Email and mailing addresses so that we can keep you informed about regional events, national meetings, and our worldwide initiative for aviation safety and security.



<http://twitter.com/planesafeorg> Traffic to our website and [Twitter](#) is increasing every day.

Follow our [TWITTER](#) and register to receive [TWEETS](#) from Jillian Smith Gustafson. Jillian also hosts the [BLOG](#), although with less frequency than [TWITTER](#). Both are newsworthy and not just personal opinions. Join us!

www.PlaneSafe.org Check [SAFETY](#) for just a few of our recent and long term accomplishments.

[Memorial CALENDAR](#) is another way that we honor our loved ones -- let us know if your memorial date should be added.

[RESOURCES Links](#) may be helpful to you, or you may have documents or links that you would like to include, let us know!

[RESOURCES – PHOTOS](#) represents over 30 meetings, events and memorials sponsored by NADA/F, and some where we supported other air crash groups and their memorials, through the years. Let us know if you have photos that you would also like online.

NADA/F was founded by air crash survivors and family members in 1995, and our work is in memory of those who died, and to prevent these devastating disasters in the future. Our work continues . . .

Matt Ziemkiewicz, President PlaneSafe@gmail.com and **Gail Dunham**, Executive Director GADunham@aol.com