

NATIONAL AIR DISASTER ALLIANCE / FOUNDATION

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From: Gail Dunham, Executive Director

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Subject: **Benefits and History of the Federal Aviation Disaster Family Assistance Act of 1996**

NADA/F founding members advocated the development and passage of legislation, the **Aviation Disaster Family Assistance Act of 1996**, to create the Family Advocate position with the NTSB.

Benefits include:

- ✿ Prompt notification,
- ✿ Family support services,
- ✿ Family members receive briefings about air crash investigations prior to press notification, and are individually informed and allowed to attend Public Hearings and meetings of the NTSB regarding the crash.
- ✿ Requiring a memorial service,
- ✿ Mandating consulting family members about return of personal effects and disposition of human remains,
- ✿ Defines “passenger” as any person aboard the aircraft, and
- ✿ Benefits provided regardless of the cause or “suspected cause” of the aviation disaster, and more.
- ✿ No “unsolicited communications” from attorneys or their agents for 45 days after the crash concerning personal injury or wrongful death.

The benefits of the Family Assistance Act have applied to all U.S. commercial aviation disaster survivors and family members since 1996. Some General Aviation and foreign disasters have also chosen to implement the policies. A Rail Disaster Family Assistance Act, with similar provisions, was also signed into law. Ground victims have been provided the same benefits.

The only exception since 1996 was that some benefits were not provided to 9/11 family members. Serious problems could have been avoided by compliance with the Family Assistance Act.

HISTORY

October 17-18, 1992 - International Air Disaster Groups (IADG) Conference in Washington DC.

This is the first gathering of international family member air disaster groups, and was the forerunner of *NADA/F*. They met fall of 1992, 1993 and 1994. ([Photo on NADA/F website: Resources, PHOTOS, Oct., 1992](#)).

October 1994, Family members from US427 met other family members at the IADG Conference, and from October 1994 through early 1995 they talked and began organizing a formal association for air crash survivors and family members.

June 8, 1995 - Charter meeting of *NADA/F*. Formal establishment of the organization in Pittsburgh, PA.

Air crash family members from USAir 427, Pittsburgh, Sept. 8, 1994, were most active, and had influence with PA Congressman Bud Shuster, Chair of Transportation, who was helpful in passing the legislation. About five air crash groups founded *NADA/F*, with a short term goal of support for victims’ families, and the long term goal of aviation safety and security. (USAirways 427, other USAirways flights, Pan Am 103, American Eagle 4184, NW255, and others).

June 20, 1995 - Families met with NTSB Chairman Jim Hall and DOT Secretary Pena. Presented fourteen issues and recommendations on airline treatment of airline crash victims and their surviving families.

The recommendations were incorporated into the legislation.

August 1, 1995 - Incorporated as *NATIONAL AIR DISASTER ALLIANCE / FOUNDATION* in Washington D.C.

August 2, 1995 - Families met with NTSB Chairman Jim Hall, DOT Secretary Pena, 10 major airlines, Air Transportation Association, Amtrak, and ICALM (International Claims and Litigation Management Group) and **presented 14 issues and recommendations on family needs following airline disasters.**

November 11-12, 1995 - First *NADA/F* Annual Meeting in Pittsburgh, PA, led by a Steering Committee, **Formalized proposal for the Family Advocate legislation.**

April, 1996 - Mailed Family Assistance/Advocate proposal to each member of the U.S. Congress. *NADA/F* raised about \$3,000 for expenses **to write, promote and pass the Family Assistance Act**, plus individual Founding Members covered their own travel expenses and gave Public Testimony at many meetings.

May, 1996 – *NADA/F* letter writing campaign to Congress.

May 11, 1996 - ValuJet Disaster -- *NADA/F* contacted NTSB concerning families and requested specific assistance for family members based on the Draft Family Assistance Act. NTSB coordinated briefings with families in Miami and arranged crash site Memorial Service.

June 11, 1996 - NTSB Final Report on AA Eagle 4184 (Halloween 1994, Roselawn IN). NTSB Chair Jim Hall publicly supported the role of *NADA/F*.

June 19, 1996 - *NADA/F* presented proposal for legislation to U.S. House/Transportation and Subcommittee on Aviation, ***"Best prepared presentation to committee in past 15 years,"*** per Congressman. National TV coverage.

July, 1996 – *"New York Times"* article called *NADA/F* "a newly formed special interest group".

July 17, 1996 - TWA 800 Disaster. *NADA/F* in contact same evening with NTSB on family treatment based on the Draft Family Assistance Act.

July 19, 1996 - *NADA/F* on "Good Morning America" *NADA/F* commented on treatment of families, and called for support of legislation.

July 30, 1996 - U.S. House of Representatives Committee on Transportation and Infrastructure introduced the "Aviation Disaster Family Assistance Act of 1996" to broaden the powers of the NTSB and establish the Family Advocate.

September 5, 1996 - *NADA/F* presented testimony on the content of the draft legislation to the U.S. House Subcommittee on Aviation before the 104th Congress.

September 6-7, 1996 - Second *NADA/F* Annual Meeting in Pittsburgh, PA.

September 9, 1996 – President Clinton signed an Executive Order to mandate Assistance to Families Affected by Aviation and Other Transportation Disasters.

September 17, 1996 - Family Assistance Act passed by U.S. House 401-29.

October 9, 1996 - President Clinton signed Family Assistance Act of 1996 into law.

December 16, 1997 – Foreign Air Carrier Family Assistance Act of 1997 became law, using provisions from the Aviation Disaster Family Assistance Act of 1996.

March 18, 1998 - *NADA/F* presented safety recommendations adopted at the *NADA/F* Annual Meeting, to the U.S. House Subcommittee on Aviation.

April 27-28, 1998 - *NADA/F* Board Members met with American Red Cross leadership to discuss providing mental health and counseling services to survivors and family members of aviation disasters. Also met with NTSB.

Website www.PlaneSafe.org See Assistance: Family Support Team – ***"What family members need,"*** April, 1998.

Through the hard work and efforts of our members, working with others, significant contributions have been made to improve how families of airline disasters are treated. We also continue to work for higher standards of aviation safety.

NADA/F was incorporated as nonprofit organizations in 1995. The *NATIONAL AIR DISASTER FOUNDATION* is a 501 (c)(3) tax-deductible, and the *NATIONAL AIR DISASTER ALLIANCE*, also tax-exempt, but not tax deductible, is a 501 (c)(4), which allows for political lobbying.

For additional information: www.NTSB.gov Click on Transportation Disaster Assistance, assistance@ntsb.gov
Thank you to the NTSB for disaster assistance and their continued long term support for air crash family members.

MISSION: To raise the standard of safety, security, and survivability for aviation passengers and to support survivors and victims' families.