



United States Senate
WASHINGTON, DC 20510-0905

BILL NELSON
FLORIDA

November 18, 2005

Mr. Quentin Burgess
Manager, Government and Industry Affairs
Federal Aviation Administration
800 Independence Avenue Southwest, Room 1022
Washington, District of Columbia 20591-0001

Dear Mr. Burgess:

Please find enclosed correspondence I received from one of my constituents. It involves an important matter under the jurisdiction of your agency.

Your review and response to the issues raised would be greatly appreciated. Please send your correspondence directly to my office and reference [REDACTED] for our records. I look forward to a response at your earliest convenience and thank you in advance for your assistance with this matter.

Sincerely,

BN/fd

Enclosure



September 21, 2005

Senator Bill Nelson
Sam Gibbons Federal Court House
801 N. Florida Ave., 4th Floor
Tampa, Florida 33602

Dear Senator Nelson

Re: Mitsubishi MU-2-B Aircraft Crash Record

I write to you today to request your assistance with a matter of grave importance involving the Mitsubishi MU-2-B aircraft. Congressmen Tom Tancredo, Mark Udall, and Bob Beauprez and Congresswoman Diana DeGette, along with Senator Ken Salazar, all of Colorado have collectively recognized the need for immediate intervention on a political level and have sent correspondence to Marion Blakey, Administrator of the FAA (copies available upon request). In response to the pressure from the politicians in Colorado, the FAA has agreed to begin an investigation into the airworthiness of the MU-2. You may review an article the Washington Times ran on August 11, 2005 in response to the pressure from Colorado <http://www.washtimes.com/business/20050810-092826-7129r.htm>. I humbly request that you join the other political figures in grounding the MU-2 before more lives are lost.

My brother,  was killed on May 14, 2004 when the MU-2 he was flying for Epps Aviation, a contractor for the Federal Reserve, crashed upon approach to the BWI airport at 7:30 am on a cloudless day. He was about 300 yards from the runway, had been cleared to land for the third time that day at the same airport, when he dropped off radar, crashing into a congested residential area.

Since January 2004, 10 MU-2's have crashed resulting in 10 deaths. The MU-2 (known as the "Kill You 2", and "The Widow Maker" in pilot circles) has been involved in 188 accidents since 1962 — 239 people have died in 75 different fatal accidents. Remarkably, only 728 such planes were produced by Mitsubishi, meaning that over 25% of MU-2s ever made have crashed!

Upon review of the NTSB records available on the internet, one would note the unusually high number of incidents involving propeller failure, loss of power, and loss of torque. Regrettably, rather than investigate the root causes of crashes involving these scenarios, the NTSB reports

generally attribute the crashes to "pilot error." The unusually high occurrence of these issues and complaints should reasonably lead one to conclude that we are actually dealing with a problem inherent in the aircraft, not the pilots who fly them.

Robert Cadwalader, a pilot with 35 years experience and an expert in the design failures inherent in the MU-2, states that the aircraft's design is such that it employs a very small, straight wing in order to achieve impressive in-flight performance. However, because of this design feature, the aircraft needs very large flaps to allow for slower takeoff and landing speeds, necessitating the use of spoilers.

"Unfortunately, in certain low altitude, low airspeed conditions deflecting a spoiler will increase drag at a time when additional lift is required. This situation is exacerbated if an engine is lost on takeoff, the landing gear is raised, the aircraft is at its maximum gross weight, and the airfield's elevation is above 5,000' MSL. Mr. Cadwalader also stated that post-accident reports that blame the pilot for "failing to maintain aircraft control" are far too simplistic—this aircraft can put a pilot in a position that is impossible to control! Because an entire wing can stall 'all at once', the MU-2B can go completely out of control in less than one second (at least two flipped upside down before the pilots could react)." (as excerpted from Congressman Tancredo's letter to Madam Blakey). In my brother's case, he had lost control and was dead less than 40 seconds after his last routine contact with the BWI control tower.

Recognizing that many issues surrounding liability and accountability would normally be resolved in the courts, you must be advised this is not possible with the MU-2. The General Aviation Rehabilitation Act of 1996 created a statute of repose that effectively prohibits law suits against the plane's manufacturer, Mitsubishi Heavy Industries, for incidents resultant from design defects or failures unless it can be proven the company knew of these issues and failed to report them. Clearly, an insurmountable obstacle. Furthermore, the companies that fly these planes – mainly check haulers and other small cargo operators; insurance premiums are prohibitively steep for passenger use – due to their relatively low cost, high efficiency and big payload are not held accountable for proper maintenance, initial and recurrent training, and other responsibilities due to the limits of workers compensation laws in most states. And the government is not responsible for contracting work out to the lowest bidder regardless of the human toll. As a result, there is only one alternative. The plane needs to be grounded.

Apparently even Mitsubishi now recognizes that it can no longer deny that a problem exists. As Congressman Tom Tancredo noted in his June 23, 2005 letter to FAA Administrator Blakey, "Back in October, 1997, the FAA put forth an airworthiness directive (14 CFR Part 39 [62 FR 51594 NO. 191 10/02/97]; Docket No. 97-CE-94-AD; Amendment 39-10150; AD 97-20-14) stating that current training levels of pilots of the MU-2B made it difficult for them to recognize adverse operating conditions. While this AD related more specifically with flying in icing conditions, the same difficulty applies to loss of performance situations. The AD recommended additional pilot training. It should be noted that after the Centennial crash, MHI became worried that pilots were not being adequately trained to fly this aircraft. According to Ralph Sorrels, a deputy manager for MHI's product support division, the company is "deeply concerned" and recommends that MU-2 pilots get "specialized training in flight simulators so they can test emergency conditions and procedures in a safe environment."

You see, a crash by definition is an uncontrolled descent. In the case of my brothers crash, which you can review through the internet, he crashed on someone's driveway. Literally. As you can imagine, the homes present within a few hundred yards from a major airport are quite closely condensed. It is unknown if it was his unquestioning skill or simply good fortune that no one else was even scratched as they went about their mornings that day. My concern really lies in the "what if's".

In the case of the crash of December 10, 2004, the plane came to final rest about 100 yards from a large office building during their hours of operation.

It is simply a matter of time before one of these Widow Makers crashes into an elementary school, a hospital or an amusement park.

This plane needs to be grounded. Period. It's time, and it's enough.

Following is the result of a query on the ntsb.gov website. I have only attached the incident from January 2004 to present for your review.

Current Synopsis	PDF Report(s)	Event Date	Probable Cause Released	Location	Make / Model	Regist. Number	Event Severity	Type of Air Carrier Operation and Carrier Name (Doing Business As)
Preliminary	Preliminary	8/4/2005		Parker, CO	Mitsubishi MU-2B-60	N454MA	Fatal(1)	NSCH Part 135: Air Taxi & Commuter
Preliminary	Preliminary	5/24/2005		Hillsboro, OR	Mitsubishi MU-2B-25	N312MA	Fatal(4)	Part 91: General Aviation
Preliminary	Preliminary	3/11/2005		Blythe, CA	Mitsubishi MU-2B-26A	N333WF	Nonfatal	NSCH Part 135: Air Taxi & Commuter
Preliminary	Preliminary	12/10/2004		Englewood, CO	Mitsubishi MU-2B-60	N538EA	Fatal(2)	NSCH Part 135: Air Taxi & Commuter
Preliminary	Preliminary	11/30/2004		Philadelphia, PA	Mitsubishi MU-2	N941MA	Nonfatal	NSCH Part 135: Air Taxi & Commuter
Probable Cause	Factual, Probable Cause	6/15/2004	3/30/2005	Waukegan, IL	Mitsubishi MU-2B-40	N77DK	Nonfatal	Part 91: General Aviation
Preliminary	Preliminary	3/27/2004		La Verne, CA	Mitsubishi MU-2B-26A	N81MF	Nonfatal	Part 91: General Aviation

<u>Probable Cause</u>	<u>Factual, Probable Cause</u>	3/25/2004	7/7/2005	Pittsfield, MA	Mitsubishi MU-2B-36	N201UV	Fatal(1)	NSCH Part 135: Air Taxi & Commuter
<u>Preliminary</u>	<u>Preliminary</u>	3/11/2004		Napa, CA	Mitsubishi MU-2B-40	N966MA	Fatal(2)	Part 91: General Aviation

Please feel free to review the article of August 11, 2005 wherein the actions of the Colorado Congressmen and Senators is noted. You can access this article through the following link <http://www.washtimes.com/business/20050810-092826-7129r.htm>

Should you require additional information please do not hesitate to contact me. I look forward to discussing this issue at your convenience, and thank you in advance for any assistance you may be able to proffer.

Regards,

