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June 24, 2005

Administrator Marion C. Blakey
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Madam Administrator:

I am writing because I have significant and growing concerns about the flight safety record of the Mitsubishi Heavy Industries MU-2B series aircraft, concerns I believe require a strong and immediate FAA response.

This critical matter was recently brought to my attention by two Coloradans, [REDACTED]. Their son was one of two pilots killed while flying an MU-2B out of Centennial Airport in suburban Denver on December 10, 2004. The pilots apparently lost an engine shortly after takeoff and were unable to maintain aircraft control.

While I understand that the investigation of that crash is just getting underway, it has come to my attention that in 2004 alone there were six other MU-2 accidents resulting in four additional fatalities. And on May 24, 2005 there was yet another fatal MU-2 crash in Oregon.

In fact, I understand that out of the 728 ever produced there have been 181 accidents, meaning that almost 25% of the planes that were ever made have crashed. There have been 238 fatalities in crashes involving this aircraft and within the industry this plane has even earned such nicknames as "The Widow Maker" and "The Kill-u-2".

I have also noted that several MU-2B incidents involved propeller failures, while others involved what pilots described as a "loss of power" or "loss of torque." This suggests according to experts, that there may be more insidious problems inherent in the design of this aircraft. Given these factors, it seems that post-accident reports blaming pilots for "failing to maintain aircraft control" maybe far too simplistic—this aircraft may present pilots with situations that are difficult or impossible to control.

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I recognize that the FAA has taken some steps, including the 1997 issuance of 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) that recommended additional pilot training for this aircraft. I also understand that after the fatal Centennial crash, the aircraft's builder expressed concern about the adequacy of pilot training and recommended that MU-2 pilots get "specialized training in flight simulators so they can test emergency conditions and procedures in a safe environment."

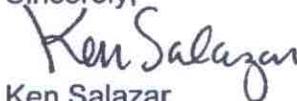
I am concerned that these actions do not go far enough. There may well be a need to establish a special MU-2 series "type rating," and to require that this pilot certification be completed before a pilot is allowed to begin/continue MU-2 flight operations.

And further, I believe that the FAA must seriously consider ordering the aircraft grounded until a thorough review of all MU-2 accidents can be completed (with special emphasis on the possible role of engine problems in incidents/accidents).

In the attached letter, the [REDACTED], who are courageously working to ensure that others don't endure the same tragic loss they have offer their own 4-point plan for restricting this aircraft's future. I request that you carefully review, and seriously consider, their comments.

I appreciate your attention to this matter, and look forward to a prompt response.

Sincerely,



Ken Salazar
United States Senate

April 22, 2005

Dear Senator Salazar,

Our 25 year old son and another young man in his 20's were killed in the crash at Centennial Airport this past December 10th when the cargo plane they were piloting lost an engine on takeoff, tried to return to the airport and crashed just short of the runway. Our purpose today is two-fold. We want to share a little of who our son was, with you. Also, we want to ask for your help regarding the airplane he was flying when he was killed – a plane that has a history we believe few people are aware of. We bring this matter to you because of the influence of your office, your ability to initiate investigations, and effect change based on these investigations. Without your help, our efforts would likely be frustrating, cumbersome and most probably ineffectual.

Twenty years ago we took our son, [REDACTED], to see an air-show at Centennial Airport. He stood looking up, with mouth agape, as he watched the Blue Angels fly and decided at that moment what he would do with his life. He was about 6 years old at the time. While [REDACTED] ultimately grew too tall to be a Blue Angel (he was 6'6", well over the military pilot height limit), he never wavered from his goal of flying. [REDACTED] was not an easy learner – he studied long and hard - but his determination and dedication to his goal remained strong and un-wavering as he pursued his education as a pilot. Over time [REDACTED] began piling up numerous pilot ratings including: high performance, complex, pressurized, tail wheel, mountain flying, instrument, multi-engine, certified flight instructor, and probably more that we can't remember. It was a happy time for us all as we added up his hours together, celebrated each new accomplishment, and discussed the endless possibilities. When he finally earned his commercial pilot and flight instructor ratings, he was the most proud, energized, and excited he'd ever been in his life. His Mom and I were, too. By the time he was killed, he had completed most of the requirements for the ATP (Air Transport Pilot) License – a certification many refer to as the "Ph.D." for pilots. In addition to the academics, the ATP rating also requires an accumulated 1200 hours of flight time. [REDACTED] had slightly over 1000 hours and he was flying for the air cargo carrier to get those additional few hours.

During most of last year, [REDACTED] was chief corporate pilot for a company at Front Range Airport in Watkins, but his job ended very suddenly when his employer's business was shut down for financial reasons. He immediately started applying for pilot positions throughout the US, but pilot jobs are difficult to get right now and many of the openings were going to pilots with more experience who'd been "downsized" from airline positions after 9/11. [REDACTED] contacted Flight Line, an air cargo company headquartered at Front Range Airport. Because [REDACTED] had a great reputation as a pilot, Flight Line asked him to fly co-pilot on their daily Denver to Salt Lake cargo flight, for just \$25 a day, until he had the few additional hours he needed to get his ATP. He was then to be hired by them as a salaried pilot.

The plane he was assigned to fly was the now obsolete Mitsubishi MU-2 (discontinued in the mid-80's), which is a twin-engine turboprop transport often used for cargo hauling because it's cheap, fast, and carries a big payload. Originally, the MU-2 was also used as a passenger carrier, but crashes started adding up and insurance premiums became prohibitive (because of the number of deaths and the large cumulative dollar payouts these deaths involved). Insurance premiums became too high for what were considered "high-limit" or "talent" passengers. So, mostly it's used now as a cargo carrier, typically with one pilot and occasionally a co-pilot. Presumably these insurance rates have remained manageable because crashes only involve 1, or sometimes 2, death settlements and especially since the pilot and co-pilot are not considered 'high-limit' or 'talent' individuals.

The MU-2 suffers from inherent design elements, which make it virtually un-flyable under certain circumstances – circumstances that are routinely manageable in other aircraft in this class. In pilot circles the plane is nick named the "Widow Maker", "Hiroshima Screamer", "Rice Rocket" & "Kill You-2". When our son mentioned this, we thought it was just macho pilot talk. We've come to find that a great many experienced pilots want nothing to do with the airplane because it's difficult to fly, temperamental and additionally almost

impossible to land if it loses an engine on takeoff. In large part, the only commercial pilots who will fly these planes are the young guys, like [REDACTED], who are desperate to accumulate hours so they can move on to other commercial aviation jobs. And, even knowing how tricky these planes are to fly, most cargo carriers don't require, nor will they provide, advanced or specialized training for their pilots. A few startling and amazing statistics:

- 1) There have been 26 accidents and incidents involving MU-2's in the past 5 years, according to the NTSB. Half of them involved fatalities.
- 2) The MU-2 has been involved in 185 accidents in the past 38 years. Seventy-seven were fatal accidents - 248 pilots and passengers are dead.
- 3) Keith Franz, an aviation attorney who specializes in aircraft litigation said there have been 20 FAA directives (which is an airworthy directive) concerning this airplane alone - a disturbingly high number. He has been quoted as saying "That's a very poor record."

Had [REDACTED] Mom and I known then what we now know about this plane, we would have done everything in our power to convince our son not to take this job. Frankly, we probably wouldn't have had to do much convincing. [REDACTED] was always very concerned about safety and would have never accepted the risk just to accumulate an additional 200 hours of flying time. There was too much to lose.

[REDACTED] was a musician, a technical rock climber, a fishing fanatic, an old-car buff and so much more. He was young, strong, healthy, articulate, he had the most incredible laugh, had just found "his perfect girl", and had only just begun to enjoy the wonders his many talents made possible. Within the last few years, our son said many times that he wanted to do something "exceptional" with his life. He was so grateful and appreciative for the privilege of actually being able to do something he loved so much. He'd worked many jobs that drained his spirit to help pay for his education and to reach his flying goal. [REDACTED] good friend, advisor, and pastor is now on a 2 year sabbatical in the Congo. He told us that he had talked to [REDACTED] only about a month before and Tuck had told him that he wanted to go to Africa and fly in the bush and spoke of wanting to apply to Air Serve International, which flies relief and medical supplies in Africa. [REDACTED] wanted to "pay his dues as a co-pilot, schlepping boxes and bags around, refueling out of barrels and doing all the stuff you have to do if you want to be a pilot in a place like this." [REDACTED] had applied to this organization only a few weeks before he was killed. Also, ironically, 2 weeks after [REDACTED] death, he got a call from a regional airline interested in interviewing him.

When we've heard about plane crashes in the past, we've felt enormous compassion for those killed and their families who we, intellectually, knew were devastated. When it happens to your own child it changes every single aspect of your life. There isn't one moment, awake or asleep, when you don't feel the enormity of your loss - in the pit of your stomach - in your heart.

[REDACTED] had moved back into our home this past year because he knew he would probably have to relocate at some point and it would facilitate his move elsewhere if he didn't have to worry about leases, mailing addresses, etc. So, while he had been away at school for several years, this past year while he was home, he again became a huge part of our everyday activities and lives and we spent most days doing things with him involved. When he returned from his job each early morning at 12:10, even though we were usually asleep our minds would register the sound of his car driving up, and know he was home safe - a feeling parents know well. Since his death, we're now pulled wide-awake by the very absence of this sound.

We live within the flight path for Centennial Airport. Each evening between 7:35 and 7:45 we hear the replacement MU-2, put into service two days after [REDACTED] death. Flying at only a few hundred feet directly over our home, it's a daily cruel and harsh reminder of what was, what could have been and now what will never be. In a strange way, it feels like someone is thumbing their nose at us - just business as usual - no matter that our lives are devastated and forever changed now that our only son is dead. [REDACTED] favorite ball-cap still sits on a chair in his room. Even after these months since his death we can't bring ourselves to do anything with it other than to occasionally pick it up and smell it - his familiar scent still lingers on it.

We are asking you to initiate an investigation of the MU-2. We, and many aviation related professionals, suggest that the plane should be permanently grounded for a variety of reasons in addition to its terrible safety record. It is a dangerous aircraft that has been allowed to continue flying for some reason. If even 5% of the Boeing 747 fleet were involved in crashes, either the FAA or the NTSB would immediately suspend them from service. Now imagine allowing over 5 times that number to crash and the aircraft still being allowed to fly. That's the case with the MU-2. We think it comes down to body count. A 747 crashing represents many hundreds of lives in one fell swoop – an MU-2 only represents 1 or 2 at a time – relentlessly, mercilessly and avoidably. There's not one family who has lost their loved one in a large commercial airline crash that grieves or anguishes any more than we do. According to the NTSB's own website, there were 7 MU-2 accidents in 2004 alone – the year our son was killed. The MU-2 is a dangerous and deadly plane that, if you'll excuse the phrase, has been allowed to fly "under the radar" for years.

At the barest of minimums, if this plane cannot be grounded, formal, extensive, specialized training should be mandatory before a pilot is allowed to fly this aircraft. Further, pilots should be advised, in detail, what the statistics are regarding incidents, crashes and fatalities so they will be making decisions with full knowledge and disclosure about the risk. Even something as simple as applying for a credit card requires full disclosure! On August 18th, 2004, Ellen Engleman-Connors, chair of the National Transportation Safety Board addressed cargo plane accidents in her remarks to the Air Line Pilots Association at the annual safety symposium. Part of her comments were, "Air cargo safety is not an issue based on statistics; it's an issue of safety. In other words, the family at home should have the same expectation of safety no matter where the pilot flies, what the pilot flies or for whom the pilot flies." This woman is the chair of the NTSB! Stating the obvious to her all-pilot audience plays well – but, to our knowledge, nothing's been done by the NTSB to follow through on her "we're here to protect you" comments.

To prevent even one more needless death or injury, to keep even one more family from being thrown into this despair and uncertainty, to have [REDACTED] unnecessary and needless death effect some positive change is our goal. Had the MU-2 been investigated earlier, [REDACTED] might have lived to define his own legacy. While [REDACTED] didn't have enough time to do what he considered to be 'exceptional' during his short life, we would like to accomplish something exceptional for him. We feel this aircraft should be grounded permanently as a commercial vehicle. Design elements that make this aircraft dangerous to fly, can't be changed. Companies who have failed to provide specialized training for this aircraft, aren't going to start now. The NTSB has always been inclined to list pilot error as the cause – there's no reason to expect this to change either. And, it's difficult for dead pilots to defend themselves.

We think there may be four ways to accomplish this:

- 1) By contacting the companies who use these planes for profit, and appeal to their moral conscience. We suspect these companies are already well aware of the safety concerns, however, and have made their decision by continuing to use the airplane. The line between a financial bottom line and the value of a human life seems to blur when profits and stockholders need be addressed.
- 2) By contacting the end-user companies who contract with the cargo carriers flying the MU-2. Letting them know what the human life cost is versus the small cost difference in a contract with a company who won't use an MU-2 could possibly be convincing. We understand that an amount of as little as \$30-\$40 a night could swing a contract in this highly competitive field. That being the case, arguing against that financial bottom line would likely be a time-consuming and fruitless up-hill battle. Meanwhile the plane continues to kill.
- 3) Continued insurance claims and lawsuits make it prohibitive for businesses to continue using these planes because it becomes too costly to insure them. This is a deadly slow process. Used to be that the MU-2 was also used as a charter plane, carrying passengers. A number of crashes involving "talent" or "high-limit" passengers caused the insurance premiums to be prohibitive. Since the MU-2 has now been relegated to being mostly a cargo carrier, pilots are only killed one at a time and dollar awards add up slowly and hence insurance premiums are still manageable.

- 4) A formal inquiry or investigation. We believe a investigation done independent of the NTSB or the FAA would find that the MU-2 has too high an incidence of crashes to be allowed to continue flying and that there are other planes that are much safer, nearly as fast and almost as inexpensive to operate. The playing field is leveled from a cost standpoint when old, dangerous planes are removed from service and everyone is competing with the same available machinery.

If an investigation had begun back when crash statistics on the MU-2 began to raise red flags, we believe we might be home right now eating dinner with our son. Instead we are pleading for you to investigate this airplane and it's abysmal safety record so that no more families have to deal with this same tragedy.

Many, many people have advised us that, regardless of what we do, who we talk to (including your office), that there's really nothing that will be accomplished - nothing will make any difference.

We've been told there's just too much money involved in maintaining the status quo of the MU-2 for us to effect change. Private owners, cargo carriers, parts and service companies and Mitsubishi all stand to profit from the continued use of the MU-2.

We've been told that The General Aviation Revitalization Act protects Mitsubishi Heavy Industries from legal action. This act protects manufacturers of airplanes more than 18 years old from product liability. Production on the MU-2 stopped in the early 80's.

We've been told that a company called Turbine Aircraft Services, located in Texas, acts as a kind of "straw man" for Mitsubishi to keep these airplanes serviced and flying. Mitsubishi provides financial and technical support through Turbine Aircraft Services and yet remains out of the loop for liability. Since Turbine Aircraft Services didn't manufacture the MU-2, they are likewise protected.

But by far the most frustrating thing we've been told is that we might as well just 'let it go' because the NTSB and the FAA are well aware of the problems, but will never - never - do anything about them. They know the statistics, have far more information than we do, put their own spin on the accident investigation reports, and the final reports almost always attribute crashes to "pilot error" - that somehow the pilot should have been able to bring a disabled and inherently dangerous plane in regardless of what goes wrong. (We personally spoke with the owner of a large aviation company in Tulsa who said that the very best pilot he ever knew, with well over 26,000 hours of flight time, lost an engine on takeoff in the MU-2 and was killed when he couldn't land the airplane safely. He was an experienced MU-2 pilot.) It comes down to the fact that the NTSB and FAA don't want to do anything, have no intention of doing anything, and they're really just too big to go up against. The general consensus - "noble cause - not enough horsepower on our end".

That can't be so, can it? They shouldn't have the power to dismiss the lives of our children so effortlessly or by exerting their power. They can't be that big, can they? How can they be more powerful than the taxpayers who employ them and whom they are supposed to represent and protect? We're asking you for your help.

Thank you for your consideration of this critical issue. We look forward to hearing from you and we offer our time and assistance as you may find it useful.

Respectfully,
