



# **FEDERAL FAMILY ASSISTANCE PLAN FOR AVIATION DISASTERS**

**Prepared by  
National Transportation Safety Board  
Office of Transportation Disaster Assistance**

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# TABLE OF CONTENTS

TABLE OF CONTENTS .....	2
PURPOSE .....	4
IMPLEMENTATION .....	4
SCOPE.....	6
ASSUMPTIONS .....	6
GENERAL MISSION TASKS .....	7
RESPONSIBILITIES.....	7
VICTIM SUPPORT TASK (VST) 1–National Transportation Safety Board .....	8
VICTIM SUPPORT TASK 2–Air carrier .....	10
VICTIM SUPPORT TASK 3–American Red Cross–Family Care and Mental Health .....	14
VICTIM SUPPORT TASK 4–Department of Health and Human Services, Assistant Secretary for Preparedness and Response–Victim Identification Services.....	15
SUPPORT OF VST 4–Department of Defense–Victim Identification Services (As required) .....	16
VICTIM SUPPORT TASK 5–Department of State–Assisting Families of Foreign Victims (As required) .....	16
VICTIM SUPPORT TASK 6–Department of Homeland Security/Federal Emergency Management Agency–Communications (As required) .....	17
VICTIM SUPPORT TASK 7– Department of Justice–Assisting Victims of Crime (As required).....	18
COORDINATING INSTRUCTIONS.....	20
LIST OF APPENDICES .....	21
APPENDIX A .....	22
Aviation Disaster Family Assistance Act of 1996 .....	22
Foreign Air Carrier Family Support Act of 1997 .....	28
“AIR 21” .....	31
“Vision 100” .....	35
APPENDIX B–Family Assistance Center Operations .....	37
APPENDIX C–Joint Family Support Operations Center .....	39
APPENDIX D–Joint Family Support Operations Center–Daily Status Report Information .....	43

<b>APPENDIX E–Sample After Action Report Format .....</b>	<b>44</b>
<b>APPENDIX F–Victim Identification Information.....</b>	<b>45</b>
<b>APPENDIX G–Victim Support Task Checklists .....</b>	<b>46</b>
<b>APPENDIX H–Frequently Asked Questions .....</b>	<b>57</b>
<b>APPENDIX I–Internet Resources for Mass Fatality Response.....</b>	<b>70</b>
<b>APPENDIX J–References.....</b>	<b>71</b>
<b>APPENDIX K–List of Acronyms.....</b>	<b>72</b>

## PURPOSE

This plan, which is designed to serve as guidance, assigns responsibilities and describes how air carriers and Federal agencies should respond to an aviation accident involving a significant number of passenger fatalities and/or injuries. Organizations given authority or responsibility by legislation should develop procedures specific to their role. Supporting legislation is located in appendix A.

## IMPLEMENTATION

This plan shall be executed in full or part by the Director, Office of Transportation Disaster Assistance (TDA), under the direction of the Chairman, National Transportation Safety Board (NTSB).

1. The Director shall recommend to the Chairman activation of the plan or portions thereof.
2. Federal agencies that have responsibilities under this plan shall maintain control of their resources while supporting the NTSB in accordance with the above references. (For purposes of this document, the terms “Federal agencies” and “Federal staff” include the American Red Cross.)
3. The NTSB, through its communications center, will initiate notification of Federal agencies to activate planning and will coordinate with the air carrier an appropriate response based on the magnitude of the aviation accident. As factual information about the accident is confirmed, additional resources may be requested to support the overall family assistance response. Upon instruction by the Director, the NTSB communications center will notify any or all of the following operations centers:
  - a. American Red Cross
  - b. Department of State (DOS)
  - c. Department of Health and Human Services (DHHS) Secretary’s Operations Center
  - d. Federal Bureau of Investigation Operations Center (FBI-SIOC)
  - e. Federal Emergency Management Agency (FEMA)
  - f. Department of Defense (DOD)
  - g. Department of Homeland Security (DHS)
4. Under the Aviation Disaster Family Assistance Act of 1996, the NTSB serves as the coordinator for the integration of Federal government resources and the resources of other organizations to support efforts of local and State governments and the air carrier to meet the needs of aviation disaster victims and their families. Crisis intervention, victim identification and forensic services, communication with foreign governments, and translation services are among Federal government services available to help local authorities and the air carrier respond to a major aviation disaster. Local government emergency services should provide a representative from the Joint Family Support Operations Center (JFSOC) to participate in the local, air carrier, and Federal response.

Details of the JFSOC are provided in appendix C. The layout of the JFSOC will depend on the facilities and rooms available near the disaster location.

5. Local authorities maintain the same jurisdictional responsibilities in regard to the initial accident response, recovery, security, site cleanup, and medical examiner operations, and the NTSB leads the aviation accident investigation. If a criminal act is believed to have caused the accident, the FBI becomes the lead investigative agency and is supported by the NTSB.
6. The air carrier has a fundamental responsibility to victims and their families affected by an aviation disaster. The air carrier is primarily responsible for family notification and all aspects of victim and family logistical support. The Aviation Disaster Family Assistance Act of 1996 (appendix A) and the Foreign Air Carrier Family Support Act (appendix A) place the air carrier, as well as other support organizations, in a collaborative relationship with families.
7. All personnel involved in providing services to assist victims and their family members should be trained in crisis response and must demonstrate compassion, technical expertise, and professionalism. Personal information provided by family members and victims through discussions, interviews, counseling, or any other form of information exchange should remain confidential and shall not be used for future litigation purposes.

## SCOPE

This plan pertains to any domestic or foreign commercial aviation accidents occurring within the United States, its territories, possessions, and territorial seas.

## ASSUMPTIONS

1. The Chairman of the NTSB will request Federal agencies to support the NTSB in accordance with the references included in appendix A.
2. Pursuant to the Aviation Disaster Family Assistance Act of 1996, the NTSB has the primary Federal responsibility for facilitating victim recovery and identification. It is understood that the presiding medical examiner or coroner is legally responsible for victim recovery and identification. (It is noted that there are differences between a medical examiner and coroner. For the purposes of this document, the term “medical examiner” is used interchangeably with “coroner.”) To ensure adequate resources for medical examiners to accomplish their jurisdictional responsibilities, the NTSB coordinates the resources of various Federal agencies to effect victim recovery and identification. The NTSB supports the use of State and local mass fatality teams and other trained experience personnel under the direction of the medical examiner.
3. For purposes of this document, the terms “family,” “family members,” “friends,” and “relatives” are used to refer to those people who have a relationship to a person involved in the accident. Although these terms have slightly different meanings, they are used interchangeably throughout the document.
4. Large numbers of family members of those killed in the accident will travel to the city closest to the accident and will utilize the accommodations provided by the air carrier. Other family members will remain at their local residences.
5. Most, if not all, families of those seriously injured will travel to where the injured are hospitalized; once the injured are released from the hospital, these family members and the injured will return home.
6. Implementation of this plan assumes that the accident will occur in a geographical area where the resources described above are available. Air carriers operating equipment over remote areas (for instance, Alaska) should contact NTSB TDA about modifications needed for accident response in those locations.

## **GENERAL MISSION TASKS**

The family assistance mission tasks following an aviation accident are as follows:

1. Notify family members of victims involved in the aviation accident based on manifest documents and other available information.
2. Monitor search and recovery operations, and offer assistance as needed.
3. Determine the status and location of injured victims.
4. Obtain approval of the local medical examiner for Federal assistance (for instance, the Disaster Mortuary Operational Response Team [DMORT]) to assist in the identification of fatalities and the notification of their families.
5. Provide crisis intervention, logistical support, and services to victims and their family members.
6. Provide daily briefings to families on the progress of recovery efforts, identification of victims, the investigation, and other areas of concern.
7. Arrange for a memorial service, if desired by families.
8. Provide for the return of personal effects.
9. Maintain contact with victims and their families to provide continuous updates regarding the progress of the investigation and other related matters, both at the accident location and once the families have returned home.

## **RESPONSIBILITIES**

Seven Victim Support Tasks (VSTs) identify the response requirements assigned to participating organizations. The organizations responsible for each of the seven VSTs are as follows:

VST 1–NTSB

VST 2–Air Carrier

VST 3– American Red Cross (Family Care and Mental Health)

VST 4– DHHS/ASPR and DOD (Victim Identification Services)

VST 5–DOS (Assisting Families of Foreign Victims)

VST 6–DHS/FEMA (Communications)

VST 7–DOJ (Assisting Victims of Crime)

Because each aviation accident is unique, the following responsibilities may be employed fully, partially, or not at all.

## **VICTIM SUPPORT TASK 1–National Transportation Safety Board**

1. Coordinate Federal assistance and serve as a liaison between the air carrier and family members.
2. Provide an NTSB toll-free number and e-mail address ([www.assistance@ntsb.gov](mailto:www.assistance@ntsb.gov)) to family members for obtaining information on the victim recovery and identification effort, accident investigation, and other concerns. This number will normally be provided to families during the final family briefing. The NTSB will coordinate with the air carrier to provide, through the air carrier's family representatives, this contact information to families who do not travel to the accident city.
3. Request a copy of the passenger manifest from the air carrier.
4. Review with the air carrier the logistical needs of the families, giving special consideration to security, quality of hotel rooms and facilities, and privacy for family members.
5. Integrate local and Federal government officials and air carrier staff to form a JFSOC to coordinate services and activities for families.
6. Coordinate assistance efforts with local and State authorities, including the medical examiner, local/county/State law enforcement, emergency management agency, hospitals, and other emergency support personnel.
7. Maintain communications with the air carrier to receive updates regarding the notification status of victims' families.
8. Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problems, and synchronize future family support operations and activities. See appendix D for an example of information required for the daily coordination meeting.
9. Provide and coordinate family briefings both with families at the accident city and with families who remain at home.
10. Discuss with the medical examiner the capabilities of his or her staff to conduct victim identification. Examine the capabilities of local/State mass fatality teams and procedures to use the team in the identification process. Discuss strategies for collecting antemortem information and other factors influencing victim identification. Discuss the use of DMORT and standard procedures DMORT uses that support NTSB efforts.
11. Discuss with the medical examiner the subject of victim identification, in particular the use of DNA analysis. Explain that the NTSB typically coordinates with the Armed Forces DNA Identification Laboratory for DNA identification.



12. At the discretion of the NTSB Investigator in Charge (IIC), coordinate a visit to the accident site for family members. Planning for such a visit will begin only after the IIC agrees that such a visit will not impede the investigation and is believed to be safe for family members.
13. Provide information releases to the media, in coordination with the NTSB Office of Public Affairs, pertaining to the types of Federal support available to assist family members.
14. Maintain contact with family members to keep them informed about the victim recovery and identification effort, accident investigation, and other accident-related concerns.
  - a. Approximately 6 to 8 months after the date of the accident, factual reports written by the NTSB investigators are made available in a public docket. Families should be informed prior to the factual report being made public that they may request a copy of the report from the NTSB. The report will be provided to them at no cost.
  - b. If the NTSB decides a public hearing is necessary for the purpose of the investigation, families will be notified of the date, time, and location. Such a hearing is designed to gather additional facts from individuals selected to testify. Travel and lodging for the hearing is at the family's expense. Families will be provided seating and copies of official exhibits discussed at the hearing. NTSB public hearings are broadcast via the Internet through the NTSB website at [www.nts.gov](http://www.nts.gov).

Vision 100 states the following:

An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the origin city and destination city of the air carrier's flight if that city is located in the United States. [49 USC 41113 (b) (18)]

Based on the facts of the accident, location requirements will be reviewed on a case-by-case basis.

- c. Families will be informed of the date, time, and location of any Board meeting to be held at the NTSB, Washington, D.C., headquarters (travel will be at the families' expense). At the meeting, the NTSB investigative staff will present to the Board a draft accident report for member discussion and approval. This report will document the NTSB's findings, determination of the probable cause of the accident and recommendations to prevent future aviation disasters. Board meetings are broadcast via the Internet through the NTSB website ([www.nts.gov](http://www.nts.gov)). See VST 2 "Air Carrier", number 30, and to the Vision 100 legislation [49 USC 41113 (b) (18)] for additional information.

15. If the accident is determined to be the result of a criminal act, the NTSB TDA staff may assist the FBI Office for Victim Assistance (OVA) in family assistance support.
16. Consolidate and review After Action Reports (AARs) to resolve problem areas and update operating plans and procedures.

## **VICTIM SUPPORT TASK 2–Air Carrier**

1. In addition to accident notification required by Title 49 *Code of Federal Regulations* (CFR) 830.5, notify the NTSB communications center immediately upon knowledge of an accident. The following information must be provided:
  - Place (or general vicinity) of accident, number of passengers and crew (based on preliminary departure information), and number of injuries and fatalities (if known).
  - Flight number, origination, connection points, final destination, demographics of passengers (if known), and whether the flight was domestic or international.
  - Name and telephone number of the person/persons in charge of the air carrier's humanitarian response, passenger manifest reconciliation, and family notification process.
  - Name, telephone number, and location of the facility designated as the Family Assistance Center (FAC) and JFSOC.
2. Provide the NTSB, upon request, the most current reconciled copy of the passenger manifest. Each copy should be numbered or annotated indicating the date and time so that it is distinguishable from previous copies.
3. Provide a reliable publicized toll-free telephone number with sufficient capacity to handle the anticipated call volume. Although not required, consider providing teletypewriter (TTY) capability.
4. When disseminating the toll-free number, ask the media to request that the toll-free number be used only by those who have reason to believe a family member or friend was a passenger on the accident flight.
5. Emphasize in the media notice that, upon initial contact with the air carrier, family members will receive basic accident flight and point-of-contact information as the first steps of air carrier humanitarian support.
6. Ask the media to reemphasize the name of the carrier(s) involved, the accident flight number, airport of origination, connection, and final destination.
7. Provide the media with continuous updates on the progress of the notification process, such as providing the number of victims' families notified as of a certain time and the number

remaining to be notified. This process will continue until all victims' families have been notified.

8. Modify your carrier's normal "on-hold" messages during an accident to eliminate music, sales information, and similar non-accident related messages.
9. Provide timely notification to family members of passengers. As required by AIR 21, at a family member's request, inform the family if the passenger's name appears on a preliminary manifest for the accident flight. Updated information on passengers will be provided to family members as it becomes available. (AIR 21 states the following: "...upon request of the family of a passenger, the air carrier will inform the family of whether the passenger's name appeared on a preliminary passenger manifest for the flight involved in the accident.")
10. Provide notification to family members prior to releasing passenger names to the public. Give family members adequate time to notify other family members and friends prior to public release of the victim's name. Although it may be necessary for some families to have more than one contact point with the air carrier, your carrier may request that families designate one primary contact point for purposes of sharing information. This will allow your carrier to use its personnel in a more efficient manner. The carrier is under no obligation to release the victim's name if family members request otherwise.
11. Inform family members at the time of notification or soon thereafter of American Red Cross family care and crisis assistance available at the FAC and after families return home. Relay requests for crisis assistance to the American Red Cross representative, who will coordinate on-scene or home area contacts for family members. For family members who do not travel to the accident location, the American Red Cross personnel on-scene can coordinate personnel at the family member's location to provide assistance.
12. Secure facilities at departure, arrival, and connecting airports for family members and friends who may be gathering. This facility is designed to allow family members to grieve in private, shielding them from the media and solicitors; it serves as a secure location where families can receive continuous updates regarding the reconciliation of the passenger manifest and other accident information. Be prepared to provide the necessary assistance to special needs populations per the American with Disabilities Act (ADA). Arrange for one of your carrier's employees or agents who has been trained in crisis response to meet privately with family members once they have arrived at the facility secured. Employees or agents should be prepared to inform family members that their loved ones were aboard a plane that crashed.
13. Secure a facility to be used as the FAC. Factors to consider in selecting a facility are quality of rooms and size of facility, privacy for family members, ability to secure the facility, and proximity to the accident site and medical treatment facilities. See appendix B.
14. Make provisions for a JFSOC to include space, communication, and logistical support for the local and Federal staff. Details of the JFSOC are provided in appendix C.

15. Provide logistical support to family members who desire to travel to the accident city (or to a hospital location) that includes, but is not limited to, transportation, lodging, meals, security, communications, and incidental expenditures.
16. Assist family members as they travel to and from the city by informing flight crews and airport personnel about family members aboard particular flights. At departure, connecting, and arrival airports, family members should have air carrier personnel meet and assist them while on airport grounds. If necessary, seek assistance from other carriers with a larger presence at the airport. Assist family members as they depart the accident city and provide a contact person who will continue to be the air carrier's interface with family members following their return to their residence.
17. Provide a contact person to meet family members as they arrive and accompany them at the accident city. This person will be responsible for assisting the family while in the accident city and should continue to be the air carrier interface with the family until the family returns to their residence. At that time the air carrier may decide to designate a single contact person for all family members. This point of contact should be available through a toll-free phone number.
18. Maintain daily contact with family members who do not travel to the accident city by providing a contact person from the air carrier until the on-site investigation has concluded.
19. Designate an individual who will be the air carrier's representative to the Director of NTSB TDA. This individual will travel to various locations, such as the accident site, morgue, JFSOC, and FAC with the Director of NTSB TDA. The designated individual should have the authority, or ready access to those who have sufficient authority, to make decisions on behalf of the air carrier.
20. Establish an exclusive badge system to identify family members. In unique cases, the NTSB, in coordination with the air carrier, will decide on the specifications of the badging system.
21. Participate and provide operational updates during daily coordination meetings to review daily activities, resolve problems, and synchronize future family support operations and activities at the FAC. This information is helpful in planning logistical support (such as meals, lodging, and transportation) and allows for an update of current and future support operations. The type of information typically discussed during the daily coordination meetings is located in appendix D.
22. Make provisions for private areas within the hotel for medical examiner personnel and the DMORT FAC Team to collect antemortem information and DNA reference samples from families. Provide quiet space and communications for DMORT and medical examiner personnel to telephonically collect antemortem information from family members who are not at the FAC. Secure a sufficient number of rooms for DMORT/crisis counseling use. Based on NTSB experience, the number of rooms required ranges from 4 to 12, depending on the number of fatalities.

23. Be aware that crisis counseling and DMORT facilities are also used as venues to inform families when positive identification has been made. By having the medical examiner or DMORT team representative located within the FAC, transportation of victim's remains and other logistical considerations can be better coordinated. Support requirements for planning purposes are in appendix C.
24. Provide DOS representatives the necessary information regarding foreign passengers to facilitate interaction with appropriate foreign government embassies.
25. Establish a liaison with the American Red Cross at each medical treatment facility to monitor the status of injured victims and to provide assistance to their families.
26. Develop procedures for the handling of personal effects released by the NTSB or the FBI if the aviation disaster is declared a criminal act. Consider utilizing a third party that has experience in the return of personal effects associated with aviation disasters. As required by law, provisions will be made for unclaimed possessions to be retained for at least 18 months from the date of the accident. NTSB has developed guidelines for the on-scene search for personal effects.
27. Consult with family members about any air carrier-sponsored monument, including any inscriptions.
28. As required by the Aviation Disaster Family Assistance Act of 1996, provide reasonable reimbursement to the American Red Cross for the services provided to the family, air carrier, and supporting personnel.
29. Provide the same support and treatment to families of non-revenue passengers or any other victim of the accident (for instance, ground fatalities) as is provided for revenue passengers.
30. If the NTSB conducts a public hearing or comparable proceeding at a location more than 80 miles from the accident site, ensure that a simultaneous transmission of the proceeding is available to family members at a location open to the public at both the origin city and destination city of the accident flight.
31. In the event of an accident outside the United States, AIR 21 legislation requires "...in the event that the air carrier volunteers assistance to United States citizens within the United States with respect to an aircraft accident outside the United States involving major loss of life, the air carrier will consult with the Board and the Department of State on the provision of the assistance."
32. In the event the investigation determines the accident is the result of a criminal act, coordinate with the FBI OVA in arranging meetings with family members to explain their rights as victims of a Federal crime.

## **VICTIM SUPPORT TASK 3–American Red Cross–Family Care and Mental Health**

1. An American Red Cross Critical Response Team (CRT) is deployed from the American Red Cross National Headquarters Disaster Operations Center (DOC) and serves as the functional leadership of family care and crisis intervention during the aviation accident. The CRT will support the local American Red Cross response and manage any spontaneous volunteers.
2. Assign a representative to the JFSOC to coordinate and address American Red Cross–related issues and family requests for assistance.
3. Coordinate and manage the numerous organizations and personnel offering counseling, religious and other support services to the operation. Create a staff processing center, operated away from the FAC, to screen, monitor, and manage personnel (employee and volunteer staff). The staff processing center will also be responsible for developing an exclusive badge system for personnel, matching staff skills with organizational needs, assigning work schedules, briefing and debriefing of support staff, and planning for future activities.
  - a. Qualified local resources should be integrated with American Red Cross personnel for crisis and grief counseling, food services, administrative assistance, and other support services to family members and support organizations.
  - b. Crisis and grief counseling for family members who travel to the accident city should be coordinated with air carrier personnel.
4. Employ an accounting system to accurately record cost data in specific cost categories for reimbursement by the air carrier.
5. Assess the needs and available resources of other crisis support agencies, coordinate with them to ensure ongoing emotional support for workers during the operation, and provide exit interviews before departure.
6. Establish a liaison with the air carrier at each supporting medical treatment facility to monitor the status of injured victims and to provide assistance to their families.
7. Coordinate with the air carrier to establish areas in the FAC for families to grieve privately.
8. If deemed necessary, deploy a Critical Response Childcare Team (CRC) to coordinate on-site childcare services for families who arrive with young children. Ensure the CRC Team is equipped with the necessary supplies to operate a childcare center along with specially trained staff qualified to attend to children in the aftermath of a traumatic disaster.
9. If deemed necessary, deploy a Spiritual Care Response Team (SRT) to coordinate on-site spiritual care. The SRT is trained to provide spiritual care to an array of faiths and will manage spiritual care for the victims and their families. If desired by the families, the SRT will coordinate the planning for a suitable interfaith memorial service within the first few days following the accident. The SRT deploys an events manager to begin planning the

memorial service upon a request from the family members. The American Red Cross Events Manager will work closely with the NTSB, the air carrier, and local, county, and State governments to plan a suitable memorial site. The American Red Cross will also deploy a Life Safety and Asset Protection manager to the JFSOC to manage safety and security concerns related to the memorial.

10. If deemed necessary, arrange a memorial service for any future burial of unidentified remains.
11. Provide families, at their request, with referrals to mental health professionals and support groups in the family member's local area.
12. Provide additional support to affected special needs or other demographically or culturally diverse populations as deemed necessary.

#### **VICTIM SUPPORT TASK 4—Department of Health and Human Services, Assistant Secretary for Preparedness and Response—Victim Identification Services**

1. At the time of an accident and following notification by the NTSB, activate the National Disaster Medical System (NDMS) and the appropriate DMORT team personnel, supplies, and equipment to assist in the management of victim identification.
2. Assign a representative to the JFSOC to address DMORT-related issues.
3. Assign the necessary DMORT team members to assist the medical examiner with victim identification and mortuary services. The configuration of team and skills required will be determined by the details of the accident and the capabilities of the local medical examiner.
4. Follow the “DMORT Standard Operating Procedures for National Transportation Safety Board Activations.”
5. Provide, if necessary, a morgue facility, a DMORT Portable Morgue Unit (DPMU), and the necessary equipment and supplies to augment the local medical examiner's capabilities.
6. Monitor the status of all incoming antemortem records to include dental, medical, and DNA data to ensure that all records have been received. If not, take steps to obtain the records and radiographs.
7. Employ a standard antemortem questionnaire and disposition of remains form that can be adapted to meet local medical examiner and State requirements. The disposition of remains form will be used to obtain directions from the lawfully authorized next of kin (NOK) regarding what he or she desires the medical examiner to do with remains that may later be identified as those of his or her family member. Information collected from family members is strictly confidential and is ultimately under the control of the medical examiner.

8. Using a specially trained FAC team, interview family members who are both on and off site for information regarding antemortem identification and disposition of remains.
9. Coordinate with the medical examiner to integrate qualified personnel who are providing assistance to the medical examiner's office into the morgue operation.
10. If necessary, assist the medical examiner in notifying family members of positive identification, including an explanation of how identification was determined.
11. Ensure the accuracy of the chain of custody by performing a check of documentation and remains prior to their release to the designated funeral director.
12. Assist the medical examiner with the reassociation of remains following the identification process. This may occur weeks or months after the accident.
13. Using information gathered from the antemortem interview, provide the NTSB with contact information for the NOK (addresses, telephone numbers, e-mail addresses) and the NOK's relationship to the victim.

#### **Support of VST 4–Department of Defense–Victim Identification Services (As required)**

1. Provide the use of a military installation, such as the Charles C. Carson Center for Mortuary Affairs located at the Dover Air Force Base, to support mortuary operations.
2. Provide resources from the Office of the Armed Forces Medical Examiner (OAFME) and Armed Forces DNA Identification Laboratory (AFDIL) to assist in the identification effort and to conduct appropriate DNA comparison testing on specimens submitted by the medical examiner. OAFME and AFDIL personnel may be asked to travel to the accident site to assist with victim identification.
3. Provide available medical and dental records and DNA reference samples of fatally injured passengers who may have antemortem records based on prior or current military service.

#### **VICTIM SUPPORT TASK 5–Department of State–Assisting Families of Foreign Victims (As required)**

1. Assign a representative to the JFSOC to coordinate DOS-related issues with other members of the operations center staff. Assist in obtaining dental and medical records and DNA reference samples from foreign families. Respond to family member requests for information and assistance as appropriate. Provide additional personnel as needed for



accidents involving significant numbers of foreign passengers, particularly those involving international flights.

2. Provide official notification to foreign governments of citizens involved in the accident. Such notifications will take place after obtaining necessary information on foreign passengers from the air carrier.
3. Assist the air carrier in notifying US citizens who may reside or are traveling outside the United States that a member of their family has been involved in an aviation accident.
4. Provide interpretation/translation services (via DOS staff or a contracted provider) to facilitate communications with the victim's family and all interested parties. For family briefings held at the FAC or similar location or activity, provide simultaneous interpretation/translation services in multiple languages as needed.
5. Provide logistical and communications support to the extent practicable, in establishing contact with foreign authorities and individuals abroad to aid the air carrier and Federal support staff in fulfilling their duties under the laws referenced above.
6. Assist foreign air carrier employees and families of foreign victims with entry into the United States and with the extension or granting of visas to eligible applicants.
7. Facilitate necessary consulate and customs services for the return of remains and personal effects to the country of destination.
8. Assist the medical examiner in acquiring the necessary information to facilitate the identification of foreign victims and to complete death certificates.

### **VICTIM SUPPORT TASK 6–Department of Homeland Security/ Federal Emergency Management Agency–Communications (As required)**

1. Assign a representative to the JFSOC to coordinate with local and State officials concerning emergency management–related issues.
2. Provide voice and data communication assets to facilitate communication from the accident site to the NTSB Communications Center.
3. Upon the request of the NTSB Office of Public Affairs, provide personnel to assist in public information dissemination, to include assistance in establishing and staffing external media support centers at the accident site, wreckage hangar, FAC, airport, and other areas that may attract media interest.

## **VICTIM SUPPORT TASK 7–Department of Justice–Assisting Victims of Crime (As required)**

1. Provide to the NTSB, upon request, an FBI Disaster Squad with sufficient personnel to obtain fingerprint identification of accident fatalities. This team will work with the medical examiner and the DMORT personnel at the morgue location.
2. Provide to the NTSB, upon request, an FBI Evidence Response Team (ERT) and other FBI Laboratory assets to assist with victim recovery operations under the direction of the medical examiner.
3. Provide to the NTSB, upon request, FBI Office for Victim Assistance Rapid Deployment Team (VARDT) members to assist the NTSB TDA in unique circumstances, such as simultaneous accident responses.
4. Perform the following responsibilities only if the air carrier disaster is officially declared a criminal act:
  - a. Coordinate Federal assistance and serve as the liaison between the air carrier and family members.
  - b. Provide an FBI toll-free number for family members to obtain information on the victim recovery and identification effort, investigation, and other concerns. This number will normally be provided to families on site during the initial family briefing and repeated in subsequent briefings. Coordinate with the air carrier to have air carrier family representatives provide the toll-free number to the families who do not travel to the accident city.
  - c. Establish a special web page for the victims' families for the purpose of sharing updated information and maintaining ongoing communication with victims and families throughout the duration of the investigation.
  - d. Review with the air carrier logistical family support with special consideration toward security, quality of rooms and facilities, and privacy for family members.
  - e. Oversee the establishment and management of the JFSOC and the FAC. Information on FAC operations can be found in appendix B.
  - f. Integrate local and Federal government officials and air carrier staff to form a JFSOC to facilitate close coordination of services and activities.
  - g. Assist the air carrier, if requested, with finding NOK that have not been notified of their family member's involvement.
  - h. Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problem areas, and

to synchronize future family support operations and activities. Examples of information needed at the daily coordination meeting are in appendix D.

- i. Provide and coordinate family briefings for family members at the accident city and for those who remain at home. Conduct in-person family briefings at the FAC. Conduct briefings for off-site families via telephone conference bridges.
- j. Provide information to victims and families regarding their rights and available services related to their status as victims of a Federal crime.
- k. Maintain contact with family members to keep them informed about the progress of the investigation and to continue to meet their future needs.

## COORDINATING INSTRUCTIONS

1. The point of contact for this plan is the Director, Transportation Disaster Assistance, NTSB. The telephone number is (202) 314-6185. The office fax number is (202) 314-6638. The backup fax number is 202-314-6293. The e-mail address is [assistance@ntsb.gov](mailto:assistance@ntsb.gov).
2. Upon implementation and until NTSB TDA staff is present at the JFSOC, calls should be directed to the NTSB communications center. The Communications center will pass any information or messages to the appropriate NTSB TDA staff member.
3. Supporting agencies should appoint the same individual or individuals to the JFSOC for each aviation accident. The focused efforts of a group of experienced personnel who understand the complex issues of an aviation disaster response will lead to improved delivery of services to victims and their families. Agencies are not precluded from designating and training alternate personnel as long as inexperienced personnel are partnered with experienced personnel during the response.
4. It is recommended that all Federal personnel involved at the accident site wear clothing (e.g. hats, shirts, and/or jackets) identifying their agency or group. This is helpful for families and those involved in supporting the operation.
5. Agencies providing support to victims and their family members under this plan are requested to submit an AAR to the Director, NTSB TDA, within 60 days of completion of their tasks. The report is critical for capturing lessons learned, taking corrective actions, and updating plans. A sample format is provided in appendix E.
6. Other than media releases by the air carrier regarding the progress of family notification and the release of passengers' names as described in VST 2, item 9, all media inquiries and releases pertaining to the NTSB TDA operation will be referred to the NTSB Office of Public Affairs. The NTSB will advise and assist the local medical examiner regarding any media affairs related to his or her area of responsibility. Support organizations may provide press releases or briefings on their specific mission/actions during the accident response. There are no restrictions on victims or family members meeting with the media if they so desire.
7. Due to differences among air carriers and air carrier underwriter policies, as well as differences among aviation accidents, consideration for reimbursement of costs associated with an agency's participation in an aviation disaster response will be made after discussions with the air carrier and its insurance underwriter.

## **LIST OF APPENDICES**

Appendix A–Aviation Disaster Family Assistance Act of 1996, Foreign Air Carrier Family Support Act of 1997, AIR 21, and Vision 100

Appendix B–Family Assistance Center Operations

Appendix C–Joint Family Support Operations Center

Appendix D–Joint Family Support Operations Center Daily Status Report Information

Appendix E–Sample After Action Report Format

Appendix F–Victim Identification Information

Appendix G–Victim Support Tasks–Checklists

Appendix H–Frequently Asked Questions

Appendix I–Internet Resources for Mass Fatality Response

Appendix J–References

Appendix K–List of Acronyms

## **APPENDIX A**

### **Aviation Disaster Family Assistance Act of 1996**

#### **SEC. 701. SHORT TITLE.**

This title may be cited as the “Aviation Disaster Family Assistance Act of 1996.”

#### **SEC. 702. ASSISTANCE BY NATIONAL TRANSPORTATION SAFETY BOARD TO FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS.**

##### **(a) Authority To Provide Assistance.--**

(1) In general.--Subchapter III of chapter 11 is amended by adding at the end the following:

“Sec. 1136. Assistance to families of passengers involved in aircraft accidents

“(a) In General.--As soon as practicable after being notified of an aircraft accident within the United States involving an air carrier or foreign air carrier and resulting in a major loss of life, the Chairman of the National Transportation Safety Board shall--

“(1) designate and publicize the name and phone number of a director of family support services who shall be an employee of the Board and shall be responsible for acting as a point of contact within the Federal Government for the families of passengers involved in the accident and a liaison between the air carrier or foreign air carrier and the families; and

“(2) designate an independent nonprofit organization, with experience in disasters and post trauma communication with families, which shall have primary responsibility for coordinating the emotional care and support of the families of passengers involved in the accident.

“(b) Responsibilities of the Board.--The Board shall have primary Federal responsibility for facilitating the recovery and identification of fatally-injured passengers involved in an accident described in subsection (a).

“(c) Responsibilities of Designated Organization.--The organization designated for an accident under subsection (a)(2) shall have the following responsibilities with respect to the families of passengers involved in the accident:

“(1) To provide mental health and counseling services, in coordination with the disaster response team of the air carrier or foreign air carrier involved.

“(2) To take such actions as may be necessary to provide an environment in which the families may grieve in private.

“(3) To meet with the families who have traveled to the location of the accident, to contact the families unable to travel to such location, and to contact all affected families periodically thereafter until such time as the organization, in consultation with the director of family support services designated for the accident under subsection (a)(1), determines that further assistance is no longer needed.

“(4) To communicate with the families as to the roles of the organization, government agencies, and the air carrier or foreign air carrier involved with respect to the accident and the post-accident activities.

“(5) To arrange a suitable memorial service, in consultation with the families.

“(d) Passenger Lists.--

“(1) Requests for passenger lists.--

“(A) Requests by director of family support services.--It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the air carrier or foreign air carrier involved in the accident a list, which is based on the best available information at the time of the request, of the names of the passengers that were aboard the aircraft involved in the accident.

“(B) Requests by designated organization.--The organization designated for an accident under subsection (a)(2) may request from the air carrier or foreign air carrier involved in the accident a list described in subparagraph (A).

“(2) Use of information.--The director of family support services and the organization may not release to any person information on a list obtained under paragraph (1) but may provide information on the list about a passenger to the family of the passenger to the extent that the director of family support services or the organization considers appropriate.

“(e) Continuing Responsibilities of the Board.--In the course of its investigation of an accident described in subsection (a), the Board shall, to the maximum extent practicable, ensure that the families of passengers involved in the accident--

“(1) are briefed, prior to any public briefing, about the accident, its causes, and any other findings from the investigation; and

“(2) are individually informed of and allowed to attend any public hearings and meetings of the Board about the accident.

“(f) Use of Air Carrier Resources.--To the extent practicable, the organization designated for an accident under subsection (a)(2) shall coordinate its activities with the air carrier or foreign air carrier involved in the accident so that the resources of the carrier can be used to the greatest extent possible to carry out the organization’s responsibilities under this section.

“(g) Prohibited Actions.--

“(1) Actions to impede the board.--No person (including a State or political subdivision) may impede the ability of the Board (including the director of family support services designated for an accident under subsection (a)(1)), or an organization designated for an accident under subsection (a)(2), to carry out its responsibilities under this section or the ability of the families of passengers involved in the accident to have contact with one another.

“(2) Unsolicited communications.--In the event of an accident involving an air carrier providing interstate or foreign air transportation, no unsolicited communication concerning a potential action for personal injury or wrongful death may be made by an attorney or any potential party to the litigation to an individual injured in the accident, or to a relative of an individual involved in the accident, before the 30th day following the date of the accident.

“(h) Definitions.--In this section, the following definitions apply:

“(1) Aircraft accident.--The term ‘aircraft accident’ means any aviation disaster regardless of its cause or suspected cause.

“(2) Passenger.--The term ‘passenger’ includes an employee of an air carrier aboard an aircraft..”

(2) Conforming amendment.--The table of sections for such chapter is amended by inserting after the item relating to section 1135 the following:

“1136. Assistance to families of passengers involved in aircraft accidents.”

(b) Penalties.--Section 1155(a)(1) of such title is amended--

(1) by striking “or 1134(b) or (f)(1)” and inserting “, section 1134(b), section 1134(f)(1), or section 1136(g)”; and

(2) by striking “either of” and inserting “any of.”

**SEC. 703. AIR CARRIER PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS.**



(a) In General.--Chapter 411 is amended by adding at the end the following:

“Sec. 41113. Plans to address needs of families of passengers involved in aircraft accidents

“(a) Submission of Plans.--Not later than 6 months after the date of the enactment of this section, each air carrier holding a certificate of public convenience and necessity under section 41102 of this title shall submit to the Secretary and the Chairman of the National Transportation Safety Board a plan for addressing the needs of the families of passengers involved in any aircraft accident involving an aircraft of the air carrier and resulting in a major loss of life.

“(b) Contents of Plans.--A plan to be submitted by an air carrier under subsection (a) shall include, at a minimum, the following:

“(1) A plan for publicizing a reliable, toll-free telephone number, and for providing staff, to handle calls from the families of the passengers.

“(2) A process for notifying the families of the passengers, before providing any public notice of the names of the passengers, either by utilizing the services of the organization designated for the accident under section 1136(a)(2) of this title or the services of other suitably trained individuals.

“(3) An assurance that the notice described in paragraph (2) will be provided to the family of a passenger as soon as the air carrier has verified that the passenger was aboard the aircraft (whether or not the names of all of the passengers have been verified) and, to the extent practicable, in person.

“(4) An assurance that the air carrier will provide to the director of family support services designated for the accident under section 1136(a)(1) of this title, and to the organization designated for the accident under section 1136(a)(2) of this title, immediately upon request, a list (which is based on the best available information at the time of the request) of the names of the passengers aboard the aircraft (whether or not such names have been verified), and will periodically update the list.

“(5) An assurance that the family of each passenger will be consulted about the disposition of all remains and personal effects of the passenger within the control of the air carrier.

“(6) An assurance that if requested by the family of a passenger, any possession of the passenger within the control of the air carrier (regardless of its condition) will be returned to the family unless the possession is needed for the accident investigation or any criminal investigation.

“(7) An assurance that any unclaimed possession of a passenger within the control of the air carrier will be retained by the air carrier for at least 18 months.

“(8) An assurance that the family of each passenger will be consulted about construction by the air carrier of any monument to the passengers, including any inscription on the monument.

“(9) An assurance that the treatment of the families of nonrevenue passengers (and any other victim of the accident) will be the same as the treatment of the families of revenue passengers.

“(10) An assurance that the air carrier will work with any organization designated under section 1136(a)(2) of this title on an ongoing basis to ensure that families of passengers receive an appropriate level of services and assistance following each accident.

“(11) An assurance that the air carrier will provide reasonable compensation to any organization designated under section 1136(a)(2) of this title for services provided by the organization.

“(12) An assurance that the air carrier will assist the family of a passenger in traveling to the location of the accident and provide for the physical care of the family while the family is staying at such location.

“(13) An assurance that the air carrier will commit sufficient resources to carry out the plan.

“(c) Certificate Requirement.--After the date that is 6 months after the date of the enactment of this section, the Secretary may not approve an application for a certificate of public convenience and necessity under section 41102 of this title unless the applicant has included as part of such application a plan that meets the requirements of subsection (b).

“(d) Limitation on Liability.--An air carrier shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of the air carrier in preparing or providing a passenger list pursuant to a plan submitted by the air carrier under subsection (b), unless such liability was caused by conduct of the air carrier which was grossly negligent or which constituted intentional misconduct.

“(e) Aircraft Accident and Passenger Defined.--In this section, the terms ‘aircraft accident’ and ‘passenger’ have the meanings such terms have in section 1136 of this title.”

(b) Conforming Amendment.--The table of sections for such chapter is amended by adding at the end the following:

“41113. Plans to address needs of families of passengers involved in

aircraft accidents.”

#### SEC. 704. ESTABLISHMENT OF TASK FORCE.

(a) Establishment.--The Secretary of Transportation, in cooperation with the National Transportation Safety Board, the Federal Emergency Management Agency, the American Red Cross, air carriers, and families which have been involved in aircraft accidents shall establish a task force consisting of representatives of such entities and families, representatives of air carrier employees, and representatives of such other entities as the Secretary considers appropriate.

(b) Guidelines and Recommendations.--The task force established pursuant to subsection (a) shall develop--

(1) guidelines to assist air carriers in responding to aircraft accidents;

(2) recommendations on methods to ensure that attorneys and representatives of media organizations do not intrude on the privacy of families of passengers involved in an aircraft accident;

(3) recommendations on methods to ensure that the families of passengers involved in an aircraft accident who are not citizens of the United States receive appropriate assistance;

(4) recommendations on methods to ensure that State mental health licensing laws do not act to prevent out-of-state mental health workers from working at the site of an aircraft accident or other related sites;

(5) recommendations on the extent to which military experts and facilities can be used to aid in the identification of the remains of passengers involved in an aircraft accident; and

(6) recommendations on methods to improve the timeliness of the notification provided by air carriers to the families of passengers involved in an aircraft accident, including--

(A) an analysis of the steps that air carriers would have to take to ensure that an accurate list of passengers on board the aircraft would be available within 1 hour of the accident and an analysis of such steps to ensure that such list would be available within 3 hours of the accident;

(B) an analysis of the added costs to air carriers and travel agents that would result if air carriers were required to take the steps described in subparagraph (A);

(C) an analysis of any inconvenience to passengers, including flight delays, that would result if air carriers were required to take the steps described in subparagraph (A); and

(D) an analysis of the implications for personal

privacy that would result if air carriers were required to take the steps described in subparagraph (A).

(c) Report.--Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report containing the model plan and recommendations developed by the task force under subsection (b).

## **Foreign Air Carrier Family Support Act of 1997**

Public Law 105-148, 105th Congress

To amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

### **SECTION 1. PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN FOREIGN AIR CARRIER ACCIDENTS.**

(a) In General.--Chapter 413 of title 49, United States Code, is amended by adding at the end the following:

“Sec. 41313. Plans to address needs of families of passengers involved in foreign air carrier accidents

“(a) Definitions.--In this section, the following definitions apply:

“(1) Aircraft accident.--The term ‘aircraft accident’ means any aviation disaster, regardless of its cause or suspected cause, that occurs within the United States; and

“(2) Passenger.--The term ‘passenger’ includes an employee of a foreign air carrier or air carrier aboard an aircraft.

“(b) Submission of Plans.--A foreign air carrier providing foreign air transportation under this chapter shall transmit to the Secretary of Transportation and the Chairman of the National Transportation Safety Board a plan for addressing the needs of the families of passengers involved in an aircraft accident that involves an aircraft under the control of the foreign air carrier and results in a significant loss of life.

“(c) Contents of Plans.--To the extent permitted by foreign law which was in effect on the date of the enactment of this section, a plan

submitted by a foreign air carrier under subsection (b) shall include the following:

“(1) Telephone number.--A plan for publicizing a reliable, toll-free telephone number and staff to take calls to such number from families of passengers involved in an aircraft accident that involves an aircraft under the control of the foreign air carrier and results in a significant loss of life.

“(2) Notification of families.--A process for notifying, in person to the extent practicable, the families of passengers involved in an aircraft accident that involves an aircraft under the control of the foreign air carrier and results in a significant loss of life before providing any public notice of the names of such passengers. Such notice shall be provided by using the services of--

“(A) the organization designated for the accident under section 1136(a)(2); or

“(B) other suitably trained individuals.

“(3) Notice provided as soon as possible.--An assurance that the notice required by paragraph (2) shall be provided as soon as practicable after the foreign air carrier has verified the identity of a passenger on the foreign aircraft, whether or not the names of all of the passengers have been verified.

“(4) List of passengers.--An assurance that the foreign air carrier shall provide, immediately upon request, and update a list (based on the best available information at the time of the request) of the names of the passengers aboard the aircraft (whether or not such names have been verified), to--

“(A) the director of family support services designated for the accident under section 1136(a)(1); and

“(B) the organization designated for the accident under section 1136(a)(2).

“(5) Consultation regarding disposition of remains and effects.--An assurance that the family of each passenger will be consulted about the disposition of any remains and personal effects of the passenger that are within the control of the foreign air carrier.

“(6) Return of possessions.--An assurance that, if requested by the family of a passenger, any possession (regardless of its condition) of that passenger that is within the control of the foreign air carrier will be returned to the family unless the possession is needed for the accident investigation or a criminal investigation.

“(7) Unclaimed possessions retained.--An assurance that any unclaimed possession of a passenger within the control of the foreign air carrier will be retained by the foreign air carrier for not less than 18 months after the date of the accident.

“(8) Monuments.--An assurance that the family of each passenger will be consulted about construction by the foreign air carrier of any monument to the passengers built in the United States, including any inscription on the monument.

“(9) Equal treatment of passengers.--An assurance that the treatment of the families of nonrevenue passengers will be the same as the treatment of the families of revenue passengers.

“(10) Service and assistance to families of passengers.--An assurance that the foreign air carrier will work with any organization designated under section 1136(a)(2) on an ongoing basis to ensure that families of passengers receive an appropriate level of services and assistance following an accident.

“(11) Compensation to service organizations.--An assurance that the foreign air carrier will provide reasonable compensation to any organization designated under section 1136(a)(2) for services and assistance provided by the organization.

“(12) Travel and care expenses.--An assurance that the foreign air carrier will assist the family of any passenger in traveling to the location of the accident and provide for the physical care of the family while the family is staying at such location.

“(13) Resources for plan.--An assurance that the foreign air carrier will commit sufficient resources to carry out the plan.

“(14) Substitute measures.--If a foreign air carrier does not wish to comply with paragraph (10), (11), or (12), a description of proposed adequate substitute measures for the requirements of each paragraph with which the foreign air carrier does not wish to comply.

“(d) Permit and Exemption Requirement.--The Secretary shall not approve an application for a permit under section 41302 unless the applicant has included as part of the application or request for exemption a plan that meets the requirements of subsection (c).

“(e) Limitation on Liability.--A foreign air carrier shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of the foreign air carrier in preparing or providing a passenger list pursuant to a plan submitted by the foreign air carrier under subsection (c), unless the liability was caused by conduct of the foreign air carrier which was grossly negligent or which constituted intentional misconduct.”

(b) Conforming Amendment.--The table of sections for such chapter is amended by adding at the end the following:

“41313. Plans to address needs of families of passengers involved in foreign air carrier accidents.”

(c) Effective Date.--The amendments made by this section shall take effect on the 180th day following the date of the enactment of this Act.

## **“AIR 21”**

Public Law 106-181, 106th Congress

To amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short note. Title.--This Act may be cited as the “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century.”

### TITLE IV--FAMILY ASSISTANCE

#### SEC. 401. RESPONSIBILITIES OF NATIONAL TRANSPORTATION SAFETY BOARD.

(a) Prohibition on Unsolicited Communications.--

(1) In general.--Section 1136(g)(2) is amended--

(A) by striking “transportation,” and inserting “transportation and in the event of an accident involving a foreign air carrier that occurs within the United States,”;

(B) by inserting after “attorney” the following: “(including any associate, agent, employee, or other representative of an attorney)”;

(C) by striking “30th day” and inserting “45th day.”

(2) Enforcement.--Section 1151 is amended by inserting “1136(g)(2),” before “or 1155(a)” each place it appears.

(b) Prohibition on Actions To Prevent Mental Health and Counseling Services.--Section 1136(g) is amended by adding at the end the following:

“(3) Prohibition on actions to prevent mental health and counseling services.--No State or political subdivision thereof may prevent the employees, agents, or volunteers of an

organization designated for an accident under subsection (a)(2) from providing mental health and counseling services under subsection (c)(1) in the 30-day period beginning on the date of the accident. The director of family support services designated for the accident under subsection (a)(1) may extend such period for not to exceed an additional 30 days if the director determines that the extension is necessary to meet the needs of the families and if State and local authorities are notified of the determination.”

(c) Inclusion of Nonrevenue Passengers in Family Assistance Coverage.--Section 1136(h)(2) is amended to read as follows:

“(2) Passenger.--The term ‘passenger’ includes--

“(A) an employee of an air carrier or foreign air carrier aboard an aircraft; and

“(B) any other person aboard the aircraft without regard to whether the person paid for the transportation, occupied a seat, or held a reservation for the flight.”

(d) Statutory Construction.--Section 1136 is amended by adding at the end the following:

“(i) Statutory Construction.--Nothing in this section may be construed as limiting the actions that an air carrier may take, or the obligations that an air carrier may have, in providing assistance to the families of passengers involved in an aircraft accident.”

## SEC. 402. AIR CARRIER PLANS.

(a) Contents of Plans.--

(1) Flight reservation information.--Section 41113(b) is amended by adding at the end the following:

“(14) An assurance that, upon request of the family of a passenger, the air carrier will inform the family of whether the passenger’s name appeared on a preliminary passenger manifest for the flight involved in the accident.”

(2) Training of employees and agents.--Section 41113(b) is further amended by adding at the end the following:

“(15) An assurance that the air carrier will provide adequate training to the employees and agents of the carrier to meet the needs of survivors and family members following an accident.”

(3) Consultation on carrier response not covered by plan.--Section 41113(b) is further amended by adding at the end the following:

“(16) An assurance that the air carrier, in the event that the air carrier volunteers assistance to United States citizens



within the United States with respect to an aircraft accident outside the United States involving major loss of life, the air carrier will consult with the Board and the Department of State on the provision of the assistance.”

(4) Submission <<NOTE: 49 USC 41113 note.>> of updated plans.--The amendments made by paragraphs (1), (2), and (3) shall take effect on the 180th day following the date of the enactment of this Act. On or before such 180th day, each air carrier holding a certificate of public convenience and necessity under section 41102 of title 49, United States Code, shall submit to the Secretary and the Chairman of the National Transportation Safety Board an updated plan under section 41113 of such title that meets the requirements of the amendments made by paragraphs (1), (2), and (3).

(5) Conforming amendments.--Section 41113 is amended--

(A) in subsection (a) by striking “Not later than 6 months after the date of the enactment of this section, each air carrier” and inserting “Each air carrier”; and

(B) in subsection (c) by striking “After the date that is 6 months after the date of the enactment of this section, the Secretary” and inserting “The Secretary.”

(b) Limitation on Liability.--Section 41113(d) is amended by inserting “, or in providing information concerning a preliminary passenger manifest,” before “pursuant to a plan.”

(c) Statutory Construction.--Section 41113 is amended by adding at the end the following:

“(f) Statutory Construction.--Nothing in this section may be construed as limiting the actions that an air carrier may take, or the obligations that an air carrier may have, in providing assistance to the families of passengers involved in an aircraft accident.”

#### SEC. 403. FOREIGN AIR CARRIER PLANS.

(a) Inclusion of Nonrevenue Passengers in Family Assistance Coverage.--Section 41313(a)(2) is amended to read as follows:

“(2) Passenger.--The term ‘passenger’ has the meaning given such term by section 1136.”

(b) Accidents for Which Plan Is Required.--Section 41313(b) is amended by striking “significant” and inserting “major.”

(c) Contents of Plans.--

(1) In general.--Section 41313(c) is amended by adding at the end the following:

“(15) Training of employees and agents.--An assurance that

the foreign air carrier will provide adequate training to the employees and agents of the carrier to meet the needs of survivors and family members following an accident.

“(16) Consultation on carrier response not covered by plan.--An assurance that the foreign air carrier, in the event that the foreign air carrier volunteers assistance to United States citizens within the United States with respect to an aircraft accident outside the United States involving major loss of life, the foreign air carrier will consult with the Board and the Department of State on the provision of the assistance.”

(2) Submission <<NOTE: 49 USC 41313 note.>> of updated plans.--The amendment made by paragraph (1) shall take effect on the 180th day following the date of the enactment of this Act. On or before such 180th day, each foreign air carrier providing foreign air transportation under chapter 413 of title 49, United States Code, shall submit to the Secretary and the Chairman of the National Transportation Safety Board an updated plan under section 41313 of such title that meets the requirements of the amendment made by paragraph (1).

#### SEC. 404. DEATH ON THE HIGH SEAS.

(a) Right of Action in Commercial Aviation Accidents.--The first section of the Act of March 30, 1920 (46 U.S.C. App. 761; popularly known as the “Death on the High Seas Act”) is amended--

(1) by inserting “(a) subject to subsection (b),” before “whenever”; and

(2) by adding at the end the following:

“(b) In the case of a commercial aviation accident, whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas 12 nautical miles or closer to the shore of any State, or the District of Columbia, or the Territories or dependencies of the United States, this Act shall not apply and the rules applicable under Federal, State, and other appropriate law shall apply..”

(b) Compensation in Commercial Aviation Accidents.--Section 2 of such Act (46 U.S.C. App. 762) is amended--

(1) by inserting “(a)” before “the recovery”; and

(2) by adding at the end the following:

“(b)(1) If the death resulted from a commercial aviation accident occurring on the high seas beyond 12 nautical miles from the shore of any State, or the District of Columbia, or the Territories or dependencies of the United States, additional compensation for nonpecuniary damages for wrongful death of a decedent is recoverable.

Punitive damages are not recoverable.

“(2) In this subsection, the term ‘nonpecuniary damages’ means damages for loss of care, comfort, and companionship..”

(c) Effective <<NOTE: 46 USC app. 761 note.>> Date.--The amendments made by subsections (a) and (b) shall apply to any death occurring after July 16, 1996.

## **“Vision 100”**

### **SEC. 809. AVAILABILITY OF AIRCRAFT ACCIDENT SITE INFORMATION.**

(a) DOMESTIC AIR TRANSPORTATION.—Section 41113(b) is amended—

(1) in paragraph (16) by striking “the air carrier” the third place it appears; and

(2) by adding at the end the following:

“(17)(A) An assurance that, in the case of an accident that results in significant damage to a manmade structure or other property on the ground that is not government-owned, the air carrier will promptly provide notice, in writing, to the extent practicable, directly to the owner of the structure or other property about liability for any property damage and means for obtaining compensation.

“(B) At a minimum, the written notice shall advise an owner (i) to contact the insurer of the property as the authoritative source for information about coverage and compensation; (ii) to not rely on unofficial information offered by air carrier representatives about compensation by the air carrier for accident-site property damage; and (iii) to obtain photographic or other detailed evidence of property damage as soon as possible after the accident, consistent with restrictions on access to the accident site.

“(18) An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the origin city and destination city of the air carrier’s flight if that city is located in the United States..”

(b) FOREIGN AIR TRANSPORTATION.—Section 41313(c) is amended by adding at the end the following:

“(17) NOTICE CONCERNING LIABILITY FOR MANMADE STRUCTURES.—

“(A) IN GENERAL.—An assurance that, in the case of an accident that results in significant damage to a manmade structure or other property on the ground that is

not government-owned, the foreign air carrier will promptly provide notice, in writing, to the extent practicable, directly to the owner of the structure or other property about liability for any property damage and means for obtaining compensation.

“(B) MINIMUM CONTENTS.—At a minimum, the written notice shall advise an owner (i) to contact the insurer of the property as the authoritative source for information about coverage and compensation; (ii) to not rely on unofficial information offered by foreign air carrier representatives about compensation by the foreign air carrier for accident-site property damage; and (iii) to obtain photographic or other detailed evidence of property damage as soon as possible after the accident, consistent with restrictions on access to the accident site.

“(18) SIMULTANEOUS ELECTRONIC TRANSMISSION OF NTSB HEARING.—An assurance that, in the case of an accident in which the National Transportation Safety Board conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the foreign air carrier will ensure that the proceeding is made available simultaneously by electronic means at a location open to the public at both the origin city and destination city of the foreign air carrier’s flight if that city is located in the United States..”

(c) UPDATE PLANS.—Air carriers and foreign air carriers shall update their plans under sections 41113 and 41313 of title 49, United States Code, respectively, to reflect the amendments made by subsections (a) and (b) of this section not later than 90 days after the date of enactment of this Act.

## **APPENDIX B**

### **Family Assistance Center Operations**

The Family Assistance Center (FAC) is the focus of services for family members when they travel to the accident location. FACs are designed to meet the immediate and short-term needs of family members: safety, security, physiological needs (food, sleep), information (about the victim recovery and identification process, and the investigation), and crisis/grief counseling. In addition, family members may be interviewed to gather antemortem information about the victims and to submit DNA samples to facilitate victim identification. The air carrier is required to provide the FAC location. Most FACs are established at hotels or similar facilities. Consideration should be given to a facility that has multiple meeting rooms, a large ballroom, up-to-date information technology infrastructure, and food services. Arrangements are coordinated by the air carrier and the NTSB.

The NTSB TDA Director manages FAC operations or assigns a designee in her/his absence.

Staff present at the FAC should include the following:

1. Air carrier support team personnel and their associated management team
2. NTSB TDA staff
3. Local law enforcement
4. American Red Cross personnel, including approved child care providers, spiritual care staff, health professionals and crisis counselors
5. Medical examiner staff
6. Personnel designated by the medical examiner to conduct antemortem interviews
7. Personal effects management contractors working for the air carrier
8. Local support agency personnel

A number of critical functions will take place at the FAC and must be closely coordinated; they include the following:

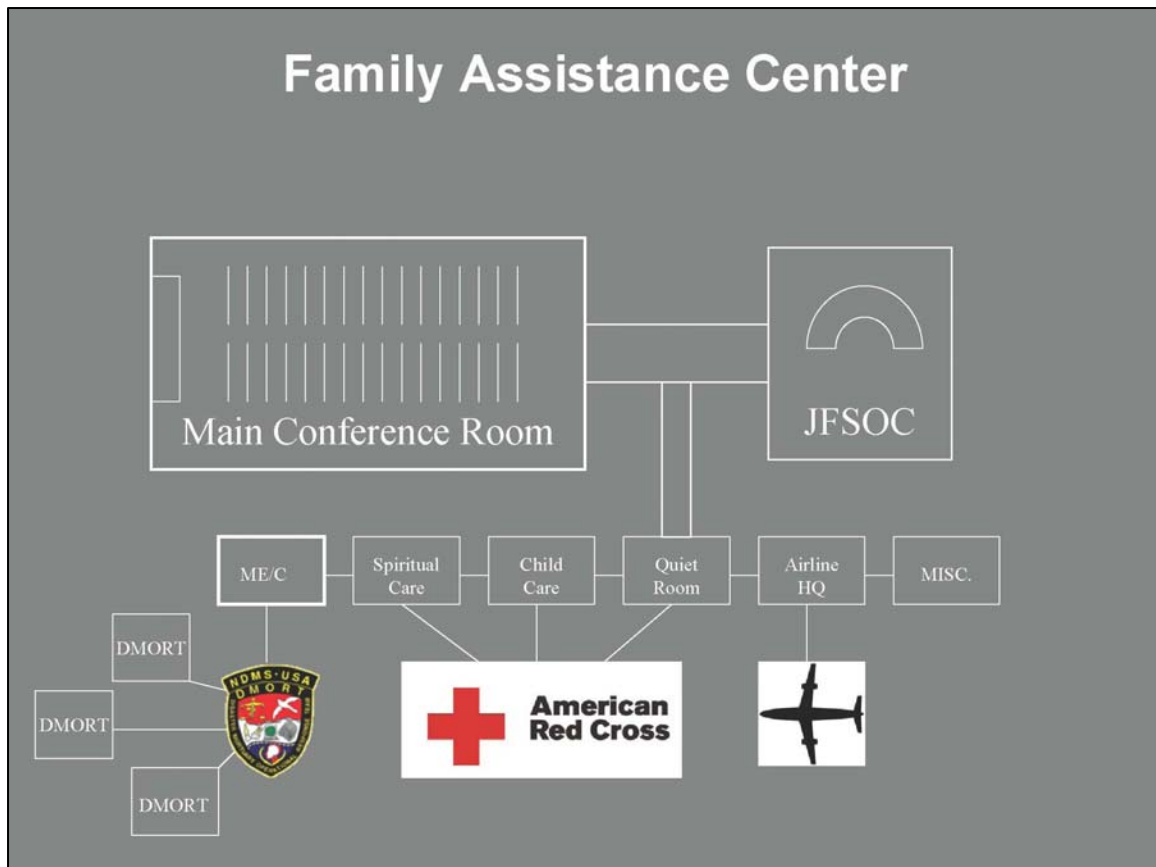
1. Safety and security, including badging of staff and family members
2. NTSB daily briefings, typically held twice daily
3. Antemortem interviews conducted by the medical examiner personnel or their designee
4. Childcare, spiritual care, and crisis counseling (conducted by the American Red Cross)
5. Death notifications by the medical examiner

Typically, the FAC will remain operational until the decedents have been identified, or until families are notified that the identification process will continue for an extended period of time. If this should occur, families will be contacted at home regarding positive identifications.

It is essential that each agency in the FAC understand its role in the support of families.

Not all family members will travel to the FAC. If there are family members already residing in the accident city, they will most likely visit the FAC to receive updates at the briefings and then return home. Other family members will participate in the briefings via a telephone conference bridge.

## Schematic of a Family Assistance Center



## **APPENDIX C**

### **Joint Family Support Operations Center**

The Joint Family Support Operations Center (JFSOC) is an important element in the control and coordination of the responses and resources of supporting organizations involved in an aviation accident.

The JFSOC is a central location where participating organizations are brought together to monitor, plan, coordinate, and execute a response operation maximizing the utilization of all available resources. Communication and sharing of information continue to be challenges to a successful emergency response. The JFSOC is designed to address these challenges.

Organizations normally involved in the JFSOC are the following: NTSB, air carrier, the American Red Cross, local government and law enforcement, and supporting Federal agencies. Depending on the extent of the disaster, other organizations may also be involved in the JFSOC.

The JFSOC and one or more of the organizations involved (listed above) provide the following:

1. Serve as the central point for coordination and sharing of information among participating organizations.
2. Monitor ongoing family support activities and tracks mission activities of each organization, such as the status of the available resources.
3. Maintain a current list of locations and key telephone numbers of participating organizations and personnel.
4. Manage and coordinate requests for services.
5. Maintain a daily journal of organizational activities and responses.

Agency representatives assigned to the JFSOC are responsible for the following tasks:

1. Maintain current status of family support activities.
2. Prepare information for the NTSB family website.
3. Provide information for the daily family briefing/conference bridge.
4. Brief participating agencies daily about activities concerning family support.
5. Coordinate and share information among all organizational representatives.
6. Maintain locations and telephone numbers of organizational entities along with key personnel (for instance, FAC, medical examiner, staff processing center, NTSB investigators,

air carrier, accident site, supporting organizations, local law enforcement, and local government).

7. Maintain and update daily plans, incident action plans, and plans for future operations.
8. Maintain the status and location of injured victims.
9. Maintain the status of victim identification effort, utilizing information provided by medical examiner personnel or their designee.
10. Update information on numbers of families at the accident city and projected departures/arrivals (24/48 hours).
11. Track the progress of antemortem interviews and antemortem data collection.

An aviation accident may take place anywhere. Therefore, it is necessary to remain flexible in planning the location of the JFSOC, taking into consideration the location and the severity of the accident. The location of the JFSOC will be determined on the basis of available space, in such places as hotels, local government buildings, or mobile command posts.

The air carrier is responsible for securing space to accommodate family members, the FAC, and the JFSOC. The involved air carrier should plan on securing a hotel area that can accommodate the people, equipment, and activities in the JFSOC. Although hotel space for family members and the FAC will be at a premium, the JFSOC should be located in the same hotel. A small ballroom or large conference room is appropriate. Should the air carrier have difficulty securing space, the NTSB will contact local authorities to determine the availability of suitable space.

The following is a general description of the duties and responsibilities of agency representatives assigned to the JFSOC:

1. **Coordinator:** The JFSOC Coordinator represents the NTSB and is charged with managing the day-to-day activities of the JFSOC. The coordinator may do any of the following tasks: assign responsibilities to JFSOC members, facilitate the exchange of information among the JFSOC participants, ensure that critical information is kept current, inform other participants of significant developments, collect information that may be used for family briefings, ensure that individual logs are kept current, coordinate with NTSB headquarters regarding information to be placed on the Board's special family website, and perform other duties relating to the specific requirements of the accident response.

2. **Deputy Coordinator:** A Deputy Coordinator may be designated to assist the Coordinator. The Deputy Coordinator may be from the air carrier or from the local emergency management agency.

3. **Administrative Officer:** An Administrative Officer will assist the Coordinator with administrative functions, such as preparing drafts of documents, collecting and posting logs, assembling clips of media coverage of the accident, providing supplies, and performing other duties relating to the specific requirements of the accident response.



**4. Air carrier representative:** The air carrier representative serves primarily in a coordinating role for the carrier. Responsibilities include passing along information to the carrier's command center regarding positively identified passengers (after families have been notified); addressing questions related to current and future support provided to families by the air carrier; providing updates regarding other agencies' current and future plans and developments; scheduling meetings and related agendas; maintaining a daily log; monitoring status of injured victims and numbers of family members on and off site; providing information for daily briefings to family members; and updating other JFSOC participants on the carrier's activities and developments.

**5. Local government representative:** The local government representative is the coordinating point for JFSOC participants on issues of security of the morgue, FAC, hotels for family members, and other designated sensitive areas. The representative is also responsible for keeping his or her organization informed of family affairs activities and meetings, updating other JFSOC participants on the local government's activities and developments, maintaining a daily log, providing information for daily briefings to family members, identifying local assets and resources that can be utilized to support the operation, and assisting other participants in their understanding of the local community and their leaders.

**6. Medical examiner representative:** The medical examiner representative serves as a liaison between the victim identification activities at the morgue, the antemortem interview process at the FAC, and the DMORT FAC team. They may also provide information on the victim identification process at the family briefings.

**7. American Red Cross representative:** The American Red Cross representative assigned to the JFSOC coordinates the American Red Cross' operations in the FAC and the staff processing center. Responsibilities include responding to questions that relate to current and future support provided to families and support workers, answering questions related to persons and organizations who want to volunteer services or support, informing the American Red Cross of scheduled meetings, maintaining a daily log, monitoring status of support personnel in the FAC and other sites, answering or redirecting calls from family members who may be off site, providing information for daily briefings to family members, and updating other JFSOC participants regarding operational activities and developments.

**8. DOS representative (if required):** The DOS representative serves in a coordinating role between the JFSOC and the DOS. The representative will coordinate issues involving foreign passengers and the support they will need from DOS, the victim's embassy/consulate, and other participants of the JFSOC. Other tasks include maintaining a daily log, monitoring status of foreign victims and their families, providing advice on cultural issues, answering or redirecting calls from foreign government officials, providing information for daily briefings to family members, and updating other JFSOC participants on the organization's activities and developments. If foreign consulate officials participate in the activities of the JFSOC, the DOS representative will serve as their sponsor.

**9. DOJ/FBI OVA representative (if required):** DOJ/FBI OVA will only be involved in the JFSOC when the cause of the disaster is suspected to be of criminal intent. The representative serves primarily in a coordinating and informational role for DOJ/FBI.

**10. FEMA representative (if required):** The FEMA representative is not normally involved in the JFSOC, unless the disaster requires substantial Federal government assistance. For example, a disaster that occurs in a highly populated area causing severe structural damage and a substantial number of ground casualties will require a FEMA representative at the JFSOC. The representative will be primarily responsible for coordinating the local and State emergency management agency efforts with the family support operation.

## APPENDIX D

### Joint Family Support Operations Center Daily Status Report Information

1. Number of families notified /number pending notification	<b>Air Carrier</b>
2. Number of families on site /number of families at home	<b>Air Carrier</b>
3. Number of total family members at the hotel	<b>Air Carrier</b>
4. Number of families expected to arrive within the next 24 hours	<b>Air Carrier</b>
5. Number of families expected to depart within the next 24 hours	<b>Air Carrier</b>
6. Number of families at home who were contacted by their air carrier representative within the last 24 hours	<b>Air Carrier</b>
7. Status of injured personnel and location of family members	<b>Air Carrier</b>
8. Number of families on site who have requested American Red Cross assistance and have been assisted by American Red Cross personnel within the last 24 hours	<b>American Red Cross</b>
9. Number of families at home who have requested American Red Cross assistance and have been contacted by their American Red Cross representative within the last 24 hours	<b>American Red Cross</b>
10. Number of workers who have received American Red Cross assistance in the last 24 hours	<b>American Red Cross</b>
11. Number of injured emergency response personnel who have received American Red Cross assistance	<b>American Red Cross</b>
12. Status of antemortem data collection and DNA reference samples	<b>Medical Examiner</b>
13. Status of antemortem and disposition of remains interviews	<b>Medical Examiner</b>
14. Status of identification efforts	<b>Medical Examiner</b>
15. Status of families notified of positive identification	<b>Medical Examiner</b>
16. Status of the release of remains	<b>Medical Examiner</b>
17. Update on assistance provided to foreign families	<b>DOS</b>
18. Update on assistance provided to victims and families	<b>DOJ</b>
19. Number of Federal support personnel, to include DMORT and American Red Cross personnel on site and their locations	<b>All</b>
20. Remarks on daily activities	<b>All</b>
21. Remarks on activities scheduled for the next 24 hours	<b>All</b>

## **APPENDIX E**

### **Sample Format for an After Action Report**

National Transportation Safety Board  
Director, Office of Transportation Disaster Assistance  
490 L'Enfant Plaza East, S.W.  
Washington, D.C. 20594-2000

Attn: Transportation Disaster Assistance

**SUBJECT: (AVIATION ACCIDENT) AFTER-ACTION REPORT**

Describe such items as how the organization was organized, relationships to other organizations, what the organization's mission was, how many of the organization's personnel were involved, what other resources were provided, transportation and equipment requirements, date arrived/departed, daily activities, and any other information the organization feels important to add to this document. This outline is not intended to limit the content of the report. Attach as separate enclosures discussion of specific aspects of the operation that were either successful or problematic.

The following format is provided:

Topic:

Discussion:

Recommendations:

Enclose any programs, associated ceremonial material, or video documentation.

## **APPENDIX F**

### **Victim Identification Information**

The local medical examiner or coroner has the legal responsibility to identify the victims of an aviation disaster. In addition, he or she is legally responsible for determining cause and manner of death and completing death certification. Medical examiner and coroner offices vary greatly in terms of staff and facility size. Some offices may be able to handle an aviation disaster with existing staff and facilities, while other offices, particularly those in rural areas, may require assistance. The medical examiner or coroner should have a written mass fatality plan that will give a basic framework for a response and whether assistance will be required.

The Aviation Disaster Family Assistance Act of 1996 designates the NTSB to coordinate Federal assistance in response to aviation accidents. The responsibilities of the NTSB transfer to the FBI if the cause of the disaster is officially declared a criminal act.

The NTSB or the FBI can, at the request of the medical examiner or coroner, request the services of the DMORT to assist with fatality management and identification of victims. The NTSB or FBI can also request the delivery of the DMORT portable morgue. In addition, the Office of the Armed Forces Medical Examiner (OAFME) can provide assistance to the FBI for medicolegal investigation issues.

The process of victim identification in a transportation disaster is thorough, deliberate, and based on proven scientific methods. As a rule, personal effects removed from the remains are considered to be a presumptive method of identification used to suggest who the deceased may be. Positive victim identification requires comparison of antemortem (before death) records and samples, such as dental and medical radiographs, with similar information collected from the remains. Exact matches of unique biological characteristics found in both the antemortem and postmortem records leads to a positive identification. Such methods include comparison of dental records and radiographs, comparison of fingerprints, comparison of bone structure in radiographs, comparison of healed fractures in radiographs, unique medical features (such as implants/prosthetics), and comparison of DNA.

In aviation disasters involving fragmented remains, identification is followed by the process of reassociating remains. Reassociation takes more time and is more complex than identification. Although a victim may be identified quickly using a single tooth, the ability to bring together the disassociated remains of victims relies primarily on DNA. DNA identification involves comparing DNA samples of the deceased to antemortem samples from relatives or a sample of DNA from the deceased obtained from clothing, a hairbrush, or a similar item containing skin or hair cells.

Once a positive identification has been made, the medical examiner office or a designee will notify the victim's legal NOK. At this point, the NOK decides on how and when the remains will be returned for burial/final disposition. Crisis support care and other support mechanisms will be available to the family during this process.

## APPENDIX G

### Victim Support Tasks–Checklists

Victim Support Tasks
National Transportation Safety Board Tasks
<input type="checkbox"/> Coordinate Federal assistance and serve as a liaison between the air carrier and family members.
<input type="checkbox"/> Provide an NTSB toll-free number and e-mail address ( <a href="mailto:www.assistance@ntsb.gov">www.assistance@ntsb.gov</a> ) to family members for obtaining information on the victim recovery and identification effort, accident investigation, and other concerns.
<input type="checkbox"/> Request a copy of the passenger manifest from the air carrier.
<input type="checkbox"/> Review with the air carrier the logistical needs of families, giving special consideration to security, quality of hotel rooms and facilities, and privacy for family members.
<input type="checkbox"/> Integrate local and Federal government officials and air carrier staff to form a JFSOC to coordinate services and activities for families.
<input type="checkbox"/> Coordinate assistance efforts with local and State authorities, including the medical examiner, local/county/State law enforcement, emergency management agency, hospitals, and other emergency support personnel.
<input type="checkbox"/> Maintain communications with the air carrier to receive updates regarding the notification status of the victims' families.
<input type="checkbox"/> Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problems, and synchronize future family support operations and activities.
<input type="checkbox"/> Provide and coordinate family briefings both with families at the accident city and with families who remain at home.
<input type="checkbox"/> Discuss with the medical examiner the subject of victim identification, in particular the use of DNA analysis. Explain that the NTSB typically uses the Armed Forces DNA Identification Laboratory for DNA identification.
<input type="checkbox"/> Discuss with the medical examiner the capabilities of his or her office staff to conduct victim identification. Discuss the use of DMORT and the standard procedures used by DMORT in its work in support of NTSB responses.
<input type="checkbox"/> At the discretion of the NTSB IIC, coordinate a visit to the accident site for family members.
<input type="checkbox"/> Provide information releases to the media, in coordination with NTSB Office of Public Affairs, pertaining to the types of Federal support available to assist family members.
<input type="checkbox"/> Maintain contact with family members to keep them informed about the victim recovery and identification effort, accident investigation, and other accident-related concerns. <ul style="list-style-type: none"> <li>○ Inform family members of the release dates for preliminary, factual, and probable cause statements.</li> <li>○ Inform family members of the date, time, and location of the public hearing, if applicable.</li> <li>○ Inform family members of the date, time, and location of the Board meeting, if applicable.</li> </ul>
<input type="checkbox"/> If the accident is determined to be the result of a criminal act, the NTSB TDA staff may assist the FBI OVA in family assistance support.
<input type="checkbox"/> Consolidate and review the AAR to resolve problem areas and to update operating plans and procedures.

<b>Victim Support Tasks</b>	
<b>Air Carrier Tasks</b>	
<input type="checkbox"/>	Complete required accident notification as detailed in 49 CFR 830.5
<input type="checkbox"/>	<p>Notify the NTSB Communications Center of the accident and provide the following:</p> <ul style="list-style-type: none"> <li>○ Location or general vicinity of the accident</li> <li>○ Number of passengers on board</li> <li>○ Number of crew on board</li> <li>○ Number of injuries and fatalities (if known)</li> <li>○ Flight number</li> <li>○ Flight origination</li> <li>○ Flight connection points</li> <li>○ Flight's final destination</li> <li>○ Demographics of passengers (if known)</li> <li>○ Flight's designation as domestic or international</li> <li>○ Name and telephone number of the carrier's representative in charge of— <ul style="list-style-type: none"> <li>▪ Carrier's humanitarian response</li> <li>▪ Passenger manifest reconciliation</li> <li>▪ Family notification process</li> </ul> </li> <li>○ Name, telephone number and location of the facility designated for use as the FAC and JFSOC</li> </ul>
<input type="checkbox"/>	Provide a reliable publicized toll free telephone number with sufficient capacity to handle the anticipated call volume from victims' families and friends.
<input type="checkbox"/>	<p>Coordinate public notification of the toll-free number with various media (television, radio, Internet) emphasizing the following:</p> <ul style="list-style-type: none"> <li>○ The number should only be used by people who have a reason to believe a family member or friend was a passenger on the accident flight.</li> <li>○ Initial calls to the air carrier will provide basic accident information and establish point of contact information for affected family members and friends in order to initiate humanitarian support.</li> <li>○ When referring to the toll-free telephone number, the following information should always be provided: <ul style="list-style-type: none"> <li>▪ Name of the carrier(s) involved</li> <li>▪ The accident flight number(s)</li> <li>▪ The flight's airport of origination</li> <li>▪ The flight's connection point(s)</li> <li>▪ The flight's final destination</li> </ul> </li> </ul>
<input type="checkbox"/>	Modify normal "on-hold" messages. Eliminate music, sales information and similar non-accident-related messages.
<input type="checkbox"/>	<p>Provide timely notification to family members and friends prior to releasing passenger names to the public. Refer to AIR 21.</p> <ul style="list-style-type: none"> <li>○ Request family members to designate one primary point of contact for information sharing.</li> <li>○ Remember that the air carrier is under no obligation to release the names of victims if family members request otherwise.</li> </ul>
<input type="checkbox"/>	Ensure notification of family members and friends of American Red Cross family care and crisis assistance available at the FAC.

<b>Victim Support Tasks</b>	
<b>Air Carrier Tasks</b>	
<input type="checkbox"/>	Ensure notification of family members and friends of American Red Cross family care and crisis assistance available after their return home (if applicable).
<input type="checkbox"/>	Ensure that requests for crisis assistance are forwarded to the American Red Cross representative at the FAC.
<input type="checkbox"/>	Provide media representatives with continuous updates regarding the following: <ul style="list-style-type: none"> <li>Progress of the notification process <ul style="list-style-type: none"> <li>The number of victims' family members notified as of a certain time</li> <li>The number of families remaining to be notified</li> </ul> </li> <li>This process continues until all victims' families have been notified</li> </ul>
<input type="checkbox"/>	Provide the NTSB, upon request, with the most current reconciled copy of the passenger manifest. <ul style="list-style-type: none"> <li>Each copy of the manifest should be numbered or annotated indicating the date and time so that it is distinguishable from previous copies</li> </ul>
<input type="checkbox"/>	Secure facilities at departure, arrival, and connecting airports for family members and/or friends who may be gathering. <ul style="list-style-type: none"> <li>This facility is designed to allow family members to grieve in private, shielding them from the media and solicitors; it serves as a secure location where families can receive continuous updates regarding the reconciliation of the passenger manifest and other accident information.</li> </ul>
<input type="checkbox"/>	Ensure all facilities chosen for use as the Friends and Relatives Reception Center, FAC, and JFSOC are ADA accessible.
<input type="checkbox"/>	Secure a venue for use as the FAC (see appendix B) <ul style="list-style-type: none"> <li>Consider the quality of the rooms, size of the facility, privacy for the family members and/or friends, ability to secure the facility, proximity to the accident site, and proximity to medical treatment facilities.</li> </ul>
<input type="checkbox"/>	Secure a venue for the JFSOC.
<input type="checkbox"/>	Make provisions for the JFSOC including, but not limited to, the following: <ul style="list-style-type: none"> <li>Space</li> <li>Communications</li> <li>Logistical support</li> <li>Details of the set-up of the JFSOC are provided in appendix C.</li> </ul>
<input type="checkbox"/>	Provide logistical support to family members who desire to travel to the accident city (or to a hospital location) that includes, but is not limited to, transportation, lodging, meals, security, communications and incidental expenditures.
<input type="checkbox"/>	Assist family members as they travel to and from the accident city by informing flight crews and airport personnel about family members aboard particular flights. <ul style="list-style-type: none"> <li>At departure, connecting, and arrival airports, family members should have air carrier personnel meet and assist them while on airport grounds.</li> <li>If necessary, seek assistance from other carriers with a larger presence at the airport.</li> <li>Assist family members as they depart the accident city and provide a contact person who will continue to be the air carrier's interface with them after they return home.</li> </ul>
<input type="checkbox"/>	Provide a contact person to meet family members as they arrive and accompany them at the accident city. <ul style="list-style-type: none"> <li>This person will be responsible for assisting the family while at the accident city and</li> </ul>



<b>Victim Support Tasks</b>	
<b>Air Carrier Tasks</b>	
	<p>should continue to be the air carrier interface with them until they return home.</p> <ul style="list-style-type: none"> <li>○ Once the family returns home, the air carrier may decide to designate a single contact person for all family members. <ul style="list-style-type: none"> <li>□ This point of contact should be available via a toll-free phone number.</li> </ul> </li> </ul>
□	Maintain daily contact with family members who do not travel to the accident city by providing a contact person from the air carrier until the on-site investigation has concluded.
□	<p>Designate an individual who will be the air carrier's representative to the Director of the NTSB TDA.</p> <ul style="list-style-type: none"> <li>○ This individual will travel to various locations, such as the accident site, morgue, JFSOC and FAC with the Director of the NTSB TDA.</li> <li>○ The designated individual should have the authority or ready access to those who have sufficient authority to make decisions on behalf of the air carrier.</li> </ul>
□	Establish an exclusive badge system to appropriately identify family members.
□	<p>Participate in daily coordination meetings to review daily activities, resolve problems, and synchronize future family support operations and activities at the FAC.</p> <ul style="list-style-type: none"> <li>○ This information is helpful in planning logistical support (such as meals, lodging, and transportation) and allows for an update of current and future support operations.</li> <li>○ The type of information typically discussed during the daily coordination meetings is located in appendix D.</li> </ul>
□	<p>Make provisions for private areas within the hotel for medical examiner personnel and the DMORT FAC Team to collect antemortem information and DNA reference samples from family members.</p> <ul style="list-style-type: none"> <li>○ Provide quiet space and communications for DMORT and medical examiner personnel to telephonically collect antemortem information from family members who are not at the FAC.</li> <li>○ Plan and provide for a sufficient number of rooms for DMORT/crisis counseling use. Based on NTSB experience the number of rooms required ranges from 4 to 12, depending on the number of fatalities.</li> <li>○ Be aware that crisis counseling and DMORT facilities are also used as venues to inform families when positive identification has been made. By having the medical examiner or DMORT team representative located within the FAC, transportation of victims' remains and other logistical considerations can be better coordinated. Support requirements for planning purposes are in appendix C.</li> </ul>
□	Provide DOS representatives the necessary information regarding foreign passengers to facilitate interaction with appropriate foreign government embassies.
□	Establish a liaison with the American Red Cross at each medical treatment facility to monitor the status of injured victims and to provide assistance to their families.
□	<p>Develop procedures for the handling of personal effects released by the NTSB or the FBI if the aviation disaster is declared a criminal act.</p> <ul style="list-style-type: none"> <li>○ Consider utilizing a third party that has experience in the return of personal effects associated with aviation disasters.</li> <li>○ The proper handling and management of personal effects cannot be discounted.</li> <li>○ As required by law, provisions will be made for unclaimed possessions to be retained for at least 18 months from the date of the accident.</li> </ul>

<b>Victim Support Tasks</b>	
<b>Air Carrier Tasks</b>	
<input type="checkbox"/>	○ The NTSB has developed guidelines for the on-scene search for personal effects.
<input type="checkbox"/>	□ Consult with family members about any air carrier–sponsored monument, including any inscriptions.
<input type="checkbox"/>	□ Provide reasonable reimbursement to the American Red Cross for the services provided to the family, air carrier, and supporting personnel.
<input type="checkbox"/>	□ Provide the same support and treatment to families of non-revenue passengers or any other victim of the accident (for instance, ground fatality) as is provided for revenue passengers.
<input type="checkbox"/>	□ If the NTSB conducts a public hearing or comparable proceeding at a location more than 80 miles from the accident site, ensure that a simultaneous transmission of the proceeding is available to family members at a location open to the public at both the origin city and destination city of the accident flight.
<input type="checkbox"/>	□ In the event of an accident outside of the United States, AIR 21 legislation requires “An assurance that the air carrier, in the event that the air carrier volunteers assistance to United States citizens within the United States with respect to an aircraft accident outside of the United States involving major loss of life, the air carrier will consult with the Board and the Department of State on the provision of the assistance.”
<input type="checkbox"/>	□ In the event the investigation determines the accident is the result of a criminal act, coordinate with FBI OVA in arranging meetings with family members to explain their rights as victims of a Federal crime.

<b>Victim Support Tasks</b>	
<b>American Red Cross</b>	
<input type="checkbox"/>	Deploy an American Red Cross CRT to serve as the functional leadership of family care and crisis intervention during the aviation accident. The CRT will support the local American Red Cross response and manage any spontaneous volunteers.
<input type="checkbox"/>	Assign a representative to the JFSOC to coordinate American Red Cross related issues and family requests for assistance.
<input type="checkbox"/>	<p>Coordinate and manage the numerous organizations and personnel offering counseling, religious, and other support services to the operation. A staff processing center, operated away from the FAC, should be created to screen, monitor, and manage personnel (employee and volunteer staff). The staff processing center will also be responsible for developing an exclusive badge system for personnel, matching volunteer skills with organizational needs, assigning work schedules, briefing and debriefing of support staff, and planning for future activities.</p> <ul style="list-style-type: none"> <li>○ Qualified local resources should be integrated with American Red Cross personnel for crisis and grief counseling, food services, administrative assistance, and other support services to family members and support organizations.</li> <li>○ Crisis and grief counseling for family members who do not travel to the accident city should be coordinated with air carrier personnel.</li> </ul>
<input type="checkbox"/>	Employ an accounting system to accurately record cost data in specific cost categories for reimbursement by the air carrier.
<input type="checkbox"/>	Assess the needs and available resources of other crisis support agencies, coordinate with them to ensure ongoing emotional support for workers during the operation, and provide debriefings before departure.
<input type="checkbox"/>	Establish a liaison with the air carrier at each supporting medical treatment facility to monitor the status of injured victims and to provide assistance to their families.
<input type="checkbox"/>	Coordinate with the air carrier to establish areas in the FAC for families to grieve privately.
<input type="checkbox"/>	If deemed necessary, deploy a CRC to coordinate on-site childcare services for families who arrive with young children.
<input type="checkbox"/>	If deemed necessary, deploy a SRT to coordinate on-site spiritual care.
<input type="checkbox"/>	If desired by the families, coordinate the planning for a suitable interfaith memorial service within the first few days following the accident.
<input type="checkbox"/>	If deemed necessary, arrange a memorial service for any future burial of unidentified remains.
<input type="checkbox"/>	Provide families, at their request, with referrals to mental health professionals and support groups in their local area.
<input type="checkbox"/>	Provide additional support to affected special needs or demographically/culturally diverse populations as deemed necessary.

<b>Victim Support Tasks – Victim Identification Services</b>	
<b>Department of Health and Human Services</b>	
<b>Assistant Secretary for Preparedness and Response</b>	
<input type="checkbox"/>	At the time of an accident and following notification by the NTSB, activate the appropriate DMORT team personnel, supplies, and equipment to assist in the management of victim identification.
<input type="checkbox"/>	Assign a representative to the JFSOC to address DMORT-related issues.
<input type="checkbox"/>	Assign necessary DMORT team members to assist the medical examiner with victim identification and mortuary services. The configuration of the team and skills required will be determined by the details of the accident and the capabilities of the local medical examiner.
<input type="checkbox"/>	Follow the “DMORT Standard Operating Procedures for National Transportation Safety Board Activations.”
<input type="checkbox"/>	Provide, if necessary, a morgue facility, a DMORT Portable Morgue Unit (DPMU), and the necessary equipment and supplies to augment the local medical examiner’s capabilities.
<input type="checkbox"/>	Monitor the status of all incoming antemortem records to include dental, medical, and DNA data to ensure that all records have been received. If not, take steps to obtain the records and radiographs.
<input type="checkbox"/>	Employ a standard antemortem questionnaire and disposition of remains form that can be adapted to meet local medical examiner and State requirements. The disposition of remains form will be used to obtain directions from the lawfully authorized NOK regarding what he/she desires the medical examiner to do with remains that may later be identified as those of their family member. Information collected from family members is strictly confidential and is ultimately under the control of the medical examiner.
<input type="checkbox"/>	Using a specially trained FAC team, interview family members who are both on site and off site for information regarding antemortem identification and disposition of remains.
<input type="checkbox"/>	Coordinate with the medical examiner to integrate qualified non-DMORT personnel who are providing assistance to the medical examiner’s office into the morgue operation.
<input type="checkbox"/>	If necessary, assist the medical examiner in notifying family members of positive identification, including an explanation of how identification was determined.
<input type="checkbox"/>	Ensure the accuracy of the chain of custody by performing a check of documentation and remains prior to the release of remains to the designated funeral director.
<input type="checkbox"/>	Assist the medical examiner with reassociation of remains following the identification process. This may occur weeks or months after the accident.
<input type="checkbox"/>	Through the FAC team, provide the NTSB with contact information for the NOK (addresses, telephone numbers, e-mail addresses) and the NOK’s relationship to the victim.

<b>Victim Support Tasks (If Required)</b>	
<b>Department of Defense (if required)</b>	
<input type="checkbox"/>	Provide the use of a military installation, such as The Charles C. Carson Center for Mortuary Affairs, located at the Dover Air Force Base, in support of mortuary operations.
<input type="checkbox"/>	Provide personnel from the Office of the OAFME and AFDIL to assist in the identification effort and to conduct appropriate DNA comparison testing on specimens submitted by the medical examiner. OAFME and AFDIL personnel may be asked to travel to the accident site to assist with victim identification.
<input type="checkbox"/>	Provide available medical and dental records and DNA reference samples of fatally injured passengers who may have antemortem records based on prior or current military service.

<b>Victim Support Tasks – Assisting Families of Foreign Victims (If Required)</b>	
<b>Department of State</b>	
<input type="checkbox"/>	Assign a representative to the JFSOC to coordinate DOS-related issues with other members of the operations center staff. Assist in obtaining dental and medical records and DNA reference samples from foreign families. Respond to family member requests for information and assistance as appropriate. Additional personnel may be needed for accidents involving significant numbers of foreign passengers, particularly those involving international flights.
<input type="checkbox"/>	Provide official notification to foreign governments of citizens involved in the accident. Such notifications will take place after obtaining necessary information about foreign passengers from the air carrier.
<input type="checkbox"/>	Assist the air carrier in notifying U.S. citizens who may reside or are traveling outside the United States that a member of their family has been involved in an aviation accident.
<input type="checkbox"/>	Provide interpretation/translation services (via DOS staff or a contracted provider) to facilitate communications with the victim's family and all interested parties. For family briefings held at the FAC or similar location or activity, simultaneous interpretation/translation in multiple languages may be required.
<input type="checkbox"/>	Assist the air carrier, the Federal support staff, and other pertinent parties in maintaining contact with foreign families not traveling to the United States.
<input type="checkbox"/>	Assist foreign air carrier employees and families of foreign victims with entry into the United States and with the extension or granting of visas to eligible applicants.
<input type="checkbox"/>	Facilitate necessary consulate and customs services for the return of remains and personal effects to the country of destination.
<input type="checkbox"/>	Assist the medical examiner in acquiring the necessary information to facilitate the identification of foreign victims and to complete death certificates.

<b>Victim Support Tasks – Communications (If Required)</b>	
<b>Department of Homeland Security / Federal Emergency Management Agency</b>	
<input type="checkbox"/>	Assign a representative to the JFSOC to coordinate with other members of the operations center staff and local and State officials concerning emergency management-related issues.
<input type="checkbox"/>	Provide voice and data communication assets to facilitate communication from the accident site to the NTSB communications center.
<input type="checkbox"/>	Upon the request of the NTSB Office of Public Affairs, provide personnel to assist in public information dissemination, to include assistance in establishing and staffing external media support centers at the accident site, wreckage hangar, FAC, airport, and other areas that may attract media interest.

<b>Victim Support Tasks – Assisting Victims of Crime (If Required)</b>	
<b>Department of Justice</b>	
<input type="checkbox"/>	Provide to the NTSB, upon request, an FBI Disaster Squad with sufficient personnel to obtain fingerprint identification of accident fatalities. This team will work with the medical examiner and the DMORT personnel at the morgue location.
<input type="checkbox"/>	Provide to the NTSB, upon request, an FBI ERT and other FBI Laboratory assets to assist with victim recovery operations under the direction of the medical examiner.
<input type="checkbox"/>	Provide to the NTSB, upon request, FBI Office for Victim Assistance VARDT members to assist in unique circumstances, such as simultaneous accident responses.
<input type="checkbox"/>	<p>The following responsibilities will be implemented only if the air carrier disaster is officially declared a criminal act:</p> <ul style="list-style-type: none"> <li>○ Coordinate Federal assistance and serve as the liaison between the air carrier and family members.</li> <li>○ Provide an FBI toll-free number for family members to obtain information on the victim recovery and identification effort, investigation, and other concerns. This number will normally be provided to families on site during the initial family briefing and repeated in subsequent briefings. The FBI will coordinate with the air carrier to have air carrier family representatives provide the toll-free number to the families who do not travel to the accident city.</li> <li>○ Establish a special web page for victims' families for the purpose of sharing updated information and maintaining ongoing communication with victims and families throughout the duration of the investigation.</li> <li>○ Review with the air carrier logistical family support with special consideration toward security, quality of rooms and facilities, and privacy for family members.</li> <li>○ Oversee the establishment and management of the JFSOC and the FAC. Information on FAC operations can be found in appendix B.</li> <li>○ Integrate local and Federal government officials and air carrier staff to form a JFSOC to facilitate close coordination of services and activities.</li> <li>○ Assist the air carrier, if requested, with finding NOK to be notified.</li> <li>○ Conduct daily coordination meetings with the air carrier and local and Federal government representatives to review daily activities, resolve problem areas, and to synchronize future family support operations and activities. Examples of information needed for the daily coordination meeting is in appendix D.</li> <li>○ Provide and coordinate family briefings for family members at the accident city and for those who remain at home. Conduct in-person family briefings at the FAC. Conduct briefings for off-site families via telephone conference bridges. Information regarding family briefings can be found in appendix C.</li> <li>○ Provide information to victims and families regarding their rights and available services as victims of a Federal crime.</li> <li>○ Maintain contact with family members to keep them informed about the progress of the investigation and to continue to meet their future needs.</li> </ul>



## **APPENDIX H**

### **Frequently Asked Questions**

#### **Manifest Inquiries**

***Who can request a copy of the manifest?***

Legally, the NTSB is the only Federal agency to which an air carrier is required to provide a copy of the manifest. If the disaster involves a flight segment for which the last point of departure or the first point of arrival is in the United States, the air carrier must also transmit a copy of the manifest to the Department of State within 3 hours of the accident.

***When must I provide a copy of the manifest?***

A copy of the manifest is given, upon request, to the NTSB. Please ensure each updated version of the manifest is marked in a manner that it can be easily differentiated from other versions. Markings such as “Version # 1,” “Version # 2,” “Final” or other qualifiers (for instance, date and time stamp) are important to avoid confusion.

***What if the TSA or an airport police officer wants the manifest?***

Since the events of 9/11/2001, the NTSB and air carriers have agreed that air carriers may give a copy of the manifest to the FBI’s Airport Liaison Agent (ALA) at any airport in the United States. The agent will then distribute the manifest, as necessary, to other agencies. If you do not know your ALA, please contact your local FBI office or your airport police department.

***Does my airport fire department need a copy of the manifest?***

The airport fire department is required to know the number of passengers and crew on the aircraft and to be given the cargo manifest. The air carrier is not required by law to give the passenger manifest to the fire department.

***Does the NTSB release the manifest to the press?***

The NTSB never releases the manifest to the press.

***If a U.S. air carrier crashes overseas, am I required to give a copy of the manifest to the NTSB?***

In such an event, a U.S. air carrier is required by law to provide a copy of the manifest to the Department of State within 3 hours of the accident. The NTSB may also ask for a copy.

***I am having problems with agencies that believe they have a right to a copy of the manifest. Can the NTSB help me?***

Please call the NTSB Office of Transportation Disaster Assistance at (202) 314-6185 and a specialist will be assigned to help you.

## **Air Carriers**

### ***Who constitutes a family member? Is there a specific definition?***

U.S. Federal and State laws define who constitutes a family member for legal purposes. These legal definitions vary from State to State. Traditionally, family members included spouse, children, mother, father, brother, and sister. Terms such as stepparents, stepsiblings and life partners have become more common in recent years in defining some family environments. In order to provide support and assistance to victims and their families, air carriers should be prepared to work with various family situations.

### ***During the initial hours of an aviation disaster, the air carrier must verify a significant amount of information regarding the passengers. If a family member calls during the verification process, what information should he or she be given?***

Air carriers must establish contact with the family of a victim as soon as possible following an accident. Be aware that, in some cases, a family member may establish contact with the air carrier before the air carrier has been able to contact that family. The air carrier must, upon the request of the family of a passenger, inform the family of whether the passenger's name appears on a preliminary manifest for the accident flight (as stipulated in AIR 21; see appendix A).

### ***Should the air carrier contact any other family members?***

If the initial family member contacted is unable to understand the information the air carrier is providing, it may be necessary to notify another family member. Another family member may also assist in other situations, such as non-English speaking families.

### ***Is there a requirement by an air carrier to release the names of the passengers and crew to the media?***

There is no legal requirement for the air carrier to release the names of passengers and crew to the media. The media should be informed about the number of families that have been notified during the initial notification process. However, as the air carrier completes the notification process to passenger and crew family members, the air carrier is encouraged to obtain an estimate on how much time will be needed for the family to contact other family members. There should be consideration in delaying the release of any names until these family members have been contacted.

### ***How often should air carriers update family members on the progress of initial events?***

Family members should be contacted regularly, even if there is no updated information. If the air carrier tells a family member that the carrier will call back by a specific time, that call must be made as promised. Once the NTSB and the families arrive at the FAC, regular briefings will be scheduled by the NTSB.

### ***Are there any steps an air carrier can take to limit the number of inquiry calls that follow a disaster?***

When providing the media with a toll-free number, the air carrier must stress that the number is *only* for those family members and friends who have reason to believe their loved one was on board the accident flight. The air carrier should ask the media to continually emphasize the name of the carrier; flight number and/or code share flight number; and airport origination,

connection, and final destination to prevent confusion and misinformation, and ultimately to reduce call volume.

For air carrier personnel, the air carrier should also rely upon an internal “call home” system. After an accident, flight crews and other employees should be advised of the accident through the company’s internal communications network. They should be asked to call home and check in with their family members.

***Are there any special considerations for family members traveling to the accident city?***

By law, air carriers must ensure that family members are provided with transportation to the accident city and other immediate needs, such as lodging. The air carrier should be sensitive to requests for more than one family member or for a non-family member to travel to the accident city. If at all possible, a family member should not travel alone to the accident city.

Some family members may request to travel to the accident city via an alternate air carrier, an aircraft type other than the accident aircraft, or an alternate mode of travel (for instance, rental car, bus, or train). The air carrier should attempt to honor such requests.

***What types of training can help teach air carrier employees how to assist families following an accident?***

Air carriers will train employees and agents who are responsible for assisting survivors and family members following an accident. Employees should be sensitized in a number of areas, including the range of physical and emotional reaction to trauma, family member and victims’ needs for accurate and timely information, the varying needs of different populations, and the importance of providing compassionate and non-judgmental support during this difficult and complex time.

Because employees may encounter physical and psychological stress reactions during an accident response, training should include methods for taking care of themselves during and after the response. The training should also include how to support co-workers who may be having difficulties and how to effectively exit the response assignment and return to their normal duties. Recurrent annual training maintains skills and a level of readiness.

In addition, NTSB TDA holds courses at the NTSB Training Center on a variety of family assistance topics. More information about the NTSB Training Center and course offerings can be found at the following website: [www.ntsbtg.gov/TC](http://www.ntsbtg.gov/TC).

***Does an air carrier need to file a family assistance plan?***

All carriers are required to file their assurance with both the NTSB and the U.S. Department of Transportation. Send assurances to: National Transportation Safety Board, Office of Transportation Disaster Assistance, Attention: Erik Grosof, 490 L’Enfant Plaza East, S.W., Washington, D.C., 20594. Fax Number: (202) 314-6638. Phone: (202) 314-6185. E-mail: [erik.grosof@ntsbtg.gov](mailto:erik.grosof@ntsbtg.gov).

***What issues should an air carrier consider in managing personal effects?***

Due to the physical dangers and psychological impact that the recovery and management of personal effects can have on air carrier employees, it is strongly suggested that a professional

third party be employed. Air carriers need to allow family members the opportunity to view unassociated personal effects. This can be done via a catalog or a CD containing photographs of these items. Family members should be notified before the catalog or CD is sent to them for their review. A claim for specific personal effects can be placed with the air carrier or the third party vendor.

Air carriers are required to maintain possession of all unassociated personal effects for a minimum of 18 months following the accident. It is recommended that family members be notified prior to the destruction of any personal effects in the air carrier's possession, allowing them one final opportunity to claim previously unclaimed personal effects.

NTSB and FBI ERT have developed "best practice" guidance for surveying and searching for personal effects at accident sites. A copy can be obtained from the NTSB TDA office.

***How should an air carrier plan to demobilize its family assistance response efforts?***

In accordance with common disaster management procedures, air carrier family assistance managers should plan their demobilization during the beginning of the response. Demobilization planning allows managers and staff to focus their activities with an understanding of when the work will end. Since the response will eventually end, knowing the process of how to close down the response is essential to an effective overall response.

***What changes did AIR 21 and VISION 100 make to the Aviation Disaster Family Assistance Act?***

Pursuant to AIR 21:

- The restrictions on solicitation by attorneys and their agents is increased from 30 to 45 days following the accident.
- Local authorities cannot block the use of mental health and counseling services for 30 days following the date of the accident. The NTSB can extend that period for another 30 days if necessary.
- An assurance that "upon request" of the family, the air carrier will inform the family of whether the passenger's name appeared on a preliminary passenger manifest of the accident flight.
- An assurance that the air carrier provides adequate family assistance training to employees and agents of the carrier.
- If an air carrier volunteers to assist U.S. citizens within the United States with respect to an aircraft accident outside of the United States involving major loss of life, an assurance that the air carrier will consult with the NTSB and the Department of State.

Pursuant to VISION 100:

- Requirements and procedures for air carriers when dealing with non-government owned property damaged or destroyed during an aviation accident.
- Establishes clear lines of communication between the land/property owner and the air carrier underwriter.
- If the NTSB conducts a public hearing or comparable proceeding at a location greater than 80 miles from the accident site, the air carrier must ensure the proceeding is simultaneously

broadcast at locations open to the public at both the origin and destination cities of the accident flight (if the city is located in the United States).

### **American Red Cross**

#### ***Why was the American Red Cross selected?***

The NTSB designated the American Red Cross because it meets the legislated requirement for an independent non-profit organization with experience in disaster response and post-trauma communications with families.

#### ***What is the Critical Response Team (CRT)?***

At the accident city, the local American Red Cross chapter initiates the American Red Cross response in accordance with local planning. These activities may be supported as needed by other American Red Cross chapters from the surrounding area. The CRT is composed of trained and experienced American Red Cross disaster management specialists, who are mobilized within 4 hours, travel to the accident city, and augment the local American Red Cross response.

#### ***Is there any requirement for an air carrier to meet with the American Red Cross before a disaster occurs?***

There are no mandates for an air carrier to meet with the American Red Cross before a disaster. However, it is important that local air carrier station management and American Red Cross chapters coordinate their local planning activities where appropriate to ensure each group's awareness of the other's plans. This will enhance the coordination of the immediate response. An annual meeting can eliminate any misunderstandings or confusion over the provision of services.

#### ***What other services can the American Red Cross provide to an air carrier, family members, or the community where the disaster occurred?***

The American Red Cross can provide crisis support for local agencies, air carrier personnel, and family members. If needed, they will assist with family member referrals for additional mental health services.

The CRT also comprises two specialized teams: the CRC and the SRT. The CRC deploys trained experienced disaster childcare professionals to deliver specialized childcare, typically in the FAC. The SRT deploys trained experienced spiritual care professionals to coordinate, establish, and maintain spiritual care services.

#### ***How do other service providers interact with the American Red Cross?***

The American Red Cross is responsible for establishing a staff-processing center to ensure the best use of all resources. Providers can contact the American Red Cross through the processing center or their local American Red Cross chapter in advance if interested in assisting.

The American Red Cross can also assist in managing "spontaneous volunteers" who frequently present themselves following an accident.

## **U.S. State Department**

### ***What is the role of the U.S. State Department during an aviation disaster (domestic or foreign air carrier) in the United States or its territories?***

The U.S. Department of State is responsible for providing official notification to foreign governments whose citizens were involved in the accident. Notifications take place after necessary information about foreign passengers is obtained from the air carrier. The State Department can also assist the air carrier in notifying U.S. citizens who may reside or are traveling outside the United States that a member of their family has been involved in an aviation accident.

For foreign carriers, the State Department can assist by alerting the U.S. Citizenship and Immigration Services (USCIS) that a corporate “Go Team” is en route to the accident city. They can assist with obtaining required visas or other documents needed to gain entry into the United States. Assistance can also be given to family members en route to the accident city. The State Department will work with USCIS to ensure that entry into the United States by these families is done in a timely, compassionate, and professional manner.

Additional information on State Department roles and responsibilities can be found at <http://www.state.gov/documents/organization/86830.pdf>.

## **Family Assistance Center**

### ***What is the difference between the Friends and Relatives Reception Center and the FAC?***

Friends and Relatives Reception Centers are located at the arriving and departing airports and are temporary locations for family members to gather until an FAC is established. The FAC is established at a hotel or similar facility in the accident city and is the focus for the assistance and information family members will receive during the initial phases of the accident response.

### ***Who is responsible for the FAC?***

The air carrier is responsible for securing a facility and all reasonable operational expenses to accommodate family members traveling to the accident city. Agencies providing support and services to families will work together to ensure families are assisted. The NTSB has the overall responsibility for the effective operation of the FAC, but it relies upon the cooperation and support of all contributing organizations.

### ***How will professionals and other service agencies in the local community be incorporated into the family assistance response?***

The American Red Cross is the designated non-profit organization responsible for family care and crisis intervention. In this capacity, it manages the recruitment, training, and support of all volunteers, including those in the local community, through a Staff Processing Center. It is the intent of the American Red Cross and the NTSB to integrate local professionals and organizations affiliated with a disaster response agency/organization.

***Who is considered a family member for access to the FAC?***

“Family member” is defined in broad terms for the purpose of FAC access. Many individuals consider themselves to be the “family” of the victim, even though the law does not formally recognize the relationship. Keep in mind that the goal of the FAC is to support and provide assistance to those associated with the victim(s) impacted by the aviation disaster.

***How do families not traveling to the accident city obtain information and support?***

There are several ways for families who do not travel to the accident city to obtain information and support. Air carriers should maintain contact with non-traveling families and provide them the same types of support as received by families at the FAC. The American Red Cross can also provide support through their chapters in the local community. A toll-free conference call bridge is used during most family member briefings. The NTSB establishes an accident-specific website for family members along with the existing [assistance@ntsb.gov](mailto:assistance@ntsb.gov) email address.

***How will the air carriers, local emergency responders, American Red Cross, and other Federal agencies coordinate the services delivered to family members?***

The JFSOC coordinates all family member activities and resolves family assistance concerns and challenges during the on-scene phase of the response. Facilitated by NTSB TDA, the JFSOC includes representatives from each organization providing assistance to ensure efficient use of resources, sharing of information, and the provision of appropriate and professional services to families.

***How do the family members find answers to their individual questions?***

It is recommended that family members first ask their air carrier escort/representative for answers to their questions. If he or she cannot provide an answer, the question can be channeled to the JFSOC via the representative’s supervisor. Families are encouraged to ask questions at the regularly scheduled family briefings.

NTSB TDA is responsible for maintaining contact (including answering individual questions) with victims and family members following the on-scene phase of the investigation. All necessary contact information will be provided during the final family briefing.

**Airports, Emergency Personnel and First Responders**

***What areas of consideration should airports have in planning to assist families during the first few hours of an aviation disaster?***

Although not currently required, airports should have plans to assist victims and their families during the initial hours following an aviation accident. Airport emergency planning is especially critical for smaller air carriers or charter operations that have a limited presence at the airport.

Consider providing family members a private and secure area to gather (Friends and Relatives Reception Area) while awaiting information from the air carrier. Air carrier clubs, conference rooms, or restaurants can serve this purpose. If located within the sterile area, entry procedures must be established with the Transportation Security Administration (TSA) and Federal Security Director prior to an accident. Police officers should be used to secure the room and the immediate area from the general public. Local Red Cross chapters should be included in

planning sessions as they can provide disaster mental health and medical services personnel, as well as other needed local resources, to assist air carrier staff with families at this location.

When selecting the location, consideration should be given to the following:

- Proximity to restrooms and other amenities
- Privacy from the general public
- Privacy from the media
- Availability of television access to family members, if desired
- A location that does not overlook the accident site (if at all possible)

***What areas of consideration should be given when airports are reviewing their airport emergency plans?***

If an airport's plan calls for sealing off access to the airport or terminals during an emergency, local air carrier management should provide a list of employees required to have access to the airport or terminal(s) during such a period. Airport Operations Access (AOA) badges for these individuals should be issued with a unique indicator. Some airports have used the following indicators: "COMMAND POST," "EMERGENCY ACCESS," "INCIDENT RESPONSE," "DISASTER RESPONSE," or a large letter "E." Once chosen, the format is relayed to law enforcement agencies securing the airport, thus allowing air carrier/airport personnel wearing a badge to gain access even when roadways are closed.

To reduce confusion by responding mutual aid agencies, airports should consider placing large signs at their predetermined staging and emergency access areas and gates. These signs should be reflective, preferable white wording on a red background, using simple text; for example, **ARFF STAGING AREA "A"** or **MUTUAL AID ACCESS GATE #5**. Airports should review and contact emergency service agencies within a 5-mile radius of the airport to receive aircraft emergency ingress/egress familiarization and training. Airport fire services can coordinate with air carriers to arrange familiarization tours of various air carrier aircraft types.

Pre-accident meetings with local emergency planners; hospitals; the American Red Cross; city, county, and State police and fire services; and clergy help to familiarize response groups with one another.

***Are there any special considerations about moving wreckage after life-safety efforts have been completed?***

Once the emergency response moves from rescue to recovery, the area should be sealed off until an NTSB representative arrives on the scene. If at all possible, pieces of wreckage should not be moved. If the wreckage must be moved, it is critical to document the process in writing. Additionally photographs of the wreckage should be taken before and after disturbing the items.

In some accidents, the NTSB will request the assistance of the FBI Evidence Response Team (ERT) to document the scene and conduct the recovery operation. The FBI ERT is available nationwide and offers a standard level of documentation and recovery to the NTSB.

For more information, a brochure, titled "Responding to an Aircraft Accident: A Guide for Police and Public Safety Personnel," is available from the NTSB TDA website, [www.nts.gov/family](http://www.nts.gov/family).



***If the accident is caused by a criminal act, who will be in charge?***

For aviation accidents caused by intentional criminal acts, the FBI is the lead investigative Federal agency. The NTSB may support the FBI with technical expertise. Because of the importance of evidence preservation and documentation, local authorities must ensure that all wreckage is preserved and not moved unless necessary for life-safety activities.

**Medical Examiners, Coroners, and Forensic Responders**

***What is the process for the notification of identification and release of victims' remains?***

Once the identification process is complete, the NOK is notified by the medical examiner or the DMORT Family Assistance Team. The notifying agency will make arrangements for the release of remains to the funeral home selected by the NOK. Victims' remains will be transported from the morgue by a funeral home vendor contracted by the air carrier to the funeral home selected by the NOK. Contact information for the funeral home selected by the NOK is obtained during the antemortem interview or during the notification of identification process.

Generally, victims' remains are released on an individual basis, as they are identified; however, in some circumstance, remains are released at the end of the identification process, once all identifications have been made. This decision is made by the presiding medical examiner, and the NOK is informed of this process.

***What is the process of identifying victims using DNA evidence?***

Victim identification based on DNA evidence requires a comparison of DNA data obtained from a victim's remains to data obtained from a reference sample. Personal items or prior medical specimens from the victim can be submitted as a direct reference sample. If submitted, it is imperative to verify that the DNA from the personal item belongs to the victim. If direct reference samples are not available, family reference samples obtained from close biological relatives are utilized. When obtaining a family reference sample, it is important to understand and document the biological relationship between the victim and the individual providing the reference sample (for instance, biological mother, father, children, brothers, or sisters). DNA identifications cannot be accomplished without the reference sample. For more information, see appendix I, which lists several resources regarding victim identification using DNA evidence.

***Why does the victim identification process take so long? What factors influence the process?***

Victim identification requires comparing information collected from the remains of the victim (postmortem data) to information available from the victim when he or she was alive (antemortem data). Scientific methods, such as comparing dental radiographs taken while the victim was alive with radiographs taken from the deceased victim, are the preferred methods for victim identification. Other scientific methods include fingerprint examinations, comparison of radiographs, and DNA analysis. In general, five factors influence the victim identification process.

1. **The number of fatalities.** As the number of fatalities increases, the amount of time and resources required to identify victims also increases, due to the investigative effort needed to obtain antemortem information and to conduct postmortem analysis.
2. **An open or closed victim population.** A disaster comprises a closed victim population if the number of victims and their names are known (for example, a manifested air carrier accident). Conversely, an open population is one in which neither the number of victims nor their names are known (for example, an explosion in a public building). Disasters involving open victim populations require more time and resources to resolve because authorities must distinguish those *actually* missing from those *initially reported* missing. The antemortem data collection process only begins once a victim is known to be missing.
3. **The availability of antemortem information.** Not all fatal victims have easily accessible or available antemortem information. For example, a victim who has never visited a dentist will not have dental records. Authorities must know where to look for antemortem records; this information is usually provided by family members. The absence of useful antemortem data, or the presence of incorrect data, will slow the victim identification process.
4. **The condition of remains (for instance, thermal damage, fragmentation, and commingling).** Complete bodies are more easily recovered and identified than remains impacted by fire, decomposition, fragmentation, and commingling. For fragmented remains, the reliance on DNA methods increases, requiring additional time and resources. Additionally, given an open population with fragmented remains, the standard of care is to identify all remains, since the number and names of the dead are not known. With a closed-population investigation, the goal is to account for all potentially identifiable remains for each victim. Often this approach does not require analysis of all remains, just those that have the potential to be identified.
5. **Challenges in search and recovery operations.** Remote terrestrial or underwater recovery operations require specialized support and more time, thus delaying the collection of postmortem data.

***What are some of the concerns during the search and recovery process?***

The physical location of the accident site determines the resources required and the procedures employed for search and recovery operations. The personnel and equipment needed for scene documentation and recovery operations vary significantly depending on whether the accident occurred on land or over water. The NTSB has authority for the aircraft wreckage, the medical examiner/coroner has authority for the human remains and associated personal effects, and the air carrier has responsibility for unassociated personal effects. Accident scene activities are coordinated with the NTSB Major Investigations Division (AS-10). The NTSB coordinates with other agencies as necessary.

***Who pays for victim recovery and identification costs?***

The costs related to victim recovery and identification can be high and are directly related to the number of victims, the condition of remains, and the medical examiner's policies regarding identification of remains. Typically, the air carrier underwriter will pay reasonable costs for victim recovery and identification. However, the underwriter is not required to pay for such costs. As with any emergency response, the costs of the response are often shared among the local, State, and Federal agencies, in addition to the underwriter.

***What methods are used to identify aviation accident victims? Does the NTSB require that certain methods be used?***

Under their legal responsibilities, the medical examiner conducts victim identification and determines the cause and manner of death. Although there are no enforceable national standards in the forensic field for victim identification, the expectation by family members and society is that all reasonable methods will be used to complete identifications in a timely and professional manner. Biologically based methods (such as fingerprints, dental records, DNA, medical implants with unique serial numbers) are considered by courts of law as primary methods of positive identification. Other methods may result in a presumptive identification, and this information may lead to a positive identification.

***How is antemortem information obtained from family members?***

The medical examiner is responsible for obtaining medical record information from family members. However, in the event that the local jurisdiction does not have enough staff to interview family members, trained DMORT members can be used to assist the local jurisdiction in interviewing family members. DMORT and other agencies can also be used to collect antemortem DNA reference samples from family members. If reasonable, family members may be asked to bring the contact information of the decedent's dentist and/or doctor when they travel to the FAC.

***Is the NTSB responsible for making positive identification of disaster victims?***

The medical examiner is responsible for making positive identification of victims. The NTSB can provide additional resources to assist the medical examiner. These resources include the DMORT team, the FBI Evidence Response Team, other FBI Laboratory assets and pertinent Department of Defense laboratories and personnel.

***How are personal effects (PE) managed?***

In general, PE are collected at the accident scene, catalogued, and cleaned to make them safe. If requested by the NOK, the item can be restored to its original condition. The goal of the PE process is to return all items to the family members in the condition they choose.

There are three classes of PE:

1. **Associated PE** are items recovered at the accident scene that are in physical contact with the victim's remains (for instance, a wedding ring on a hand). The medical examiner has authority over the collection, chain of custody, and final disposition of these items. Medical examiner staff or designated personnel (for instance, FBI ERT) document and collect associated PE during the recovery of human remains. Once collected, the medical examiner can transfer custody of the associated PE to a third party contracted by the air

carrier to manage the overall PE process. The NOK decides when and whether associated PE is returned and provides instructions for the restoration of the items, if desired.

2. **Unassociated PE** are not associated with remains and have no identifying information. Such items may include clothing, books, and toiletries. The air carrier has responsibility for the collection, processing, and return of unassociated PE to the NOK. Air carriers typically designate a contractor to take care of these responsibilities. The contractor also catalogues the items, and coordinates the restoration and return with the NOK.
3. **Unassociated PE containing identifying information** (e.g. luggage with an identification tag) also fall under the responsibility of the air carrier and are processed accordingly.

***Are there additional resources available for a medical examiner responsible for managing the identification of decedents?***

Under the Federal Family Assistance Plan for Aviation Disasters, the NTSB coordinates and integrates the resources of the Federal Government to support the efforts of the local and State government. The National Disaster Medical System (NDMS—a division of the Department of Health and Human Services, Assistant Secretary for Preparedness and Response) is the primary Federal agency to support local jurisdictions responsible for victim identification. Other Federal agencies able to support victim identification are FBI Laboratory assets and the Department of Defense DNA Registry/Armed Forces DNA Identification Laboratory.

Within the NDMS, the DMORT can conduct victim identification and associated mortuary activities. DMORT also has mobile morgues with specialized personnel to organize a morgue operation. The DMORT Family Assistance Center Team is available to interview family members to obtain antemortem information.

Certain State and local jurisdictions also have disaster victim identification teams. Such teams are considered important in the victim identification process.

The medical examiner should contact the NTSB TDA office through the NTSB Communications Center. TDA staff will inquire about the number of fatalities, the condition of the remains, the capabilities of the local jurisdiction to conduct victim recovery and identification and other pertinent information. Based on this discussion, the NTSB will request assistance from the Federal agencies with appropriate resources.

***What is the Portable Morgue Unit?***

The DMORT Portable Morgue Unit (DPMU) supports the processing and identification of accident fatalities. The DPMU contains prepackaged morgue supplies and equipment that can be set up in an existing facility. Transportable by truck or air, the DPMU is accompanied by a team that unpacks, organizes, restocks, and repacks the supplies and equipment.

***What is the FBI ERT?***

The FBI Evidence Response Team (ERT) is a group of trained and equipped FBI personnel specializing in organizing and conducting major evidence recovery operations. They manage the identification, collection, and preservation of evidence at crime scenes. In the case of aviation accidents, the ERTs are available to the NTSB to provide a standard level of scene

documentation, mapping, photography, videography, and evidence/wreckage recovery. Each of the FBI's fifty-six Field Offices has an ERT, consisting of 8 to 50 members. These teams train to develop and maintain their organizational and forensic skills; most have aviation disaster experience.

***What is the FBI Disaster Squad?***

The FBI Disaster Squad is a team of trained experts in the area of fingerprint identification who can be activated to support the local medical examiner in the victim identification process. The FBI Disaster Squad has access to the FBI fingerprint database and is able to collect latent prints to assist in identification.

## **APPENDIX I**

### **Internet Resources for Mass Fatality Response**

**NTSB Office of Transportation Disaster Assistance**

<http://www.nts.gov/Family/family.htm>

**Responding to an Aircraft Accident–How to Support the NTSB (Police & Public Safety Personnel)**

[http://www.nts.gov/Family/LEO\\_brochure.pdf](http://www.nts.gov/Family/LEO_brochure.pdf)

**Disaster Mortuary Operational Response Team**

[www.dmort.org](http://www.dmort.org)

**Capstone Document: Mass Fatality Management for Incidents Involving Weapons of Mass Destruction**

[http://www.ecbc.army.mil/hld/dl/MFM\\_Capstone\\_August\\_2005.pdf](http://www.ecbc.army.mil/hld/dl/MFM_Capstone_August_2005.pdf)

**Office of the Armed Forces Medical Examiner**

<http://www.afip.org/consultation/AFMES/>

**Armed Forces DNA Identification Laboratory**

<http://www.afip.org/consultation/AFMES/AFDIL/index.html>

**Mass Fatality Incidents: A Guide for Human Identification**

<http://www.ojp.usdoj.gov/nij/pubs-sum/199758.htm>

**Lessons Learned from 9/11: DNA Identification in Mass Fatality Incidents**

<http://massfatality.dna.gov/>

**Identifying Victims Using DNA: A Guide for Families**

<http://www.ncjrs.org/pdffiles1/nij/209493.pdf>

**FBI Office for Victim Assistance (OVA)**

<http://www.fbi.gov/hq/cid/victimassist/home.htm>

**Providing Relief to Families After a Mass Fatality: Roles of the Medical Examiner's Office and the Family Assistance Center**

[http://www.ojp.usdoj.gov/ovc/publications/bulletins/prfmf\\_11\\_2001/welcome.html](http://www.ojp.usdoj.gov/ovc/publications/bulletins/prfmf_11_2001/welcome.html)

**Department of State Foreign Affairs Manual Volume 7 (1830): Aviation and Other Transportation Disasters**

<http://www.state.gov/documents/organization/86830.pdf>

## APPENDIX J

### References

1. Presidential Executive Memorandum, Subject: Assistance to Families Affected by Aviation and Other Transportation Disasters, September 9, 1996.
2. Public Law 104-264, Title VII, Aviation Disaster Family Assistance Act of 1996, October 9, 1996.
3. Public Law 105-148, Foreign Air Carrier Family Support Act, December 16, 1997.
4. Public Law 106-181, Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), Title VI, Sections 401-405, April 5, 2000.
5. Public Law 108-176, Vision 100—Century Of Aviation Reauthorization Act, Section 809, December 12, 2003.
6. Department of Transportation and National Transportation Safety Board, *Final Report, Task Force on Assistance to Families of Aviation Disasters*, October 29, 1997.
7. Interagency Agreement between Department of Health and Human Services, Assistant Secretary for Preparedness and Response, and National Transportation Safety Board, March 29, 2007.
8. Memorandum of Understanding between Department of State and National Transportation Safety Board, June 18, 1997.
9. Memorandum of Understanding between Federal Emergency Management Agency and National Transportation Safety Board, October 24, 1998.
10. Memorandum of Understanding between American Red Cross and National Transportation Safety Board, January 24, 2007.
11. Memorandum of Understanding between Department of Transportation and National Transportation Safety Board, June 19, 1997.

## **APPENDIX K**

### **List of Acronyms**

AAR	After Action Report
ADA	American with Disabilities Act
AFDIL	Armed Forces DNA Identification Laboratory (DOD/AFIP/AFMES)
AFIP	Armed Forces Institute of Pathology (DOD)
AFMES	Armed Forces Medical Examiner System (DOD/AFOP)
AIR 21	Wendell H. Ford Aviation Investment and Reform Act for the 21 <sup>st</sup> Century
ALA	Airport Liaison Agent (DOJ/FBI)
AOA	Airport Operations Access
ARFF	Aircraft Rescue Firefighting
AS-10	Office of Aviation Safety–Major Investigations (NTSB)
ASPR	Assistant Secretary for Preparedness and Response (DHHS)
CFR	Code of Federal Regulations
CRC	Critical Response Childcare Team (American Red Cross)
CRT	Critical Response Team (American Red Cross)
DHS	Department of Homeland Security
DHHS	Department of Health and Human Services
DMORT	Disaster Mortuary Operational Response Team (DHHS/ASPR/NDMS)
DNA	Deoxyribonucleic acid
DOC	Disaster Operations Center (American Red Cross)
DOD	Department of Defense
DOJ	Department of Justice
DOS	Department of State
DPMU	DMORT Portable Morgue Unit
ERT	Evidence Response Team (DOD/FBI)
FAC	Family Assistance Center
FBI	Federal Bureau of Investigation (DOJ)
FEMA	Federal Emergency Management Agency (DHS)
IIC	Investigator in Charge (NTSB)
JFSOC	Joint Family Support Operations Center
NDMS	National Disaster Medical System (DHHS/ASPR)
NOK	Next of Kin
NTSB	National Transportation Safety Board
OAFME	Office of Armed Forces Medical Examiner (AFIP)
OVA	Office for Victim Assistance (DOJ/FBI)
PE	Personal effects
SIOC	Strategic Information and Operations Center (DOJ/FBI)
SRT	Spiritual Care Response Team (American Red Cross)
TDA	Office of Transportation Disaster Assistance (NTSB)
TSA	Transportation Security Administration (DHS)
TTY	Teletypewriter
USCIS	United States Citizenship and Immigration Services (DHS)
VARDT	Victim Assistance Rapid Deployment Team (DOJ/FBI)
VST	Victim Support Task