

106TH CONGRESS
1ST SESSION

H. RES. 183

Expressing the sense of the House of Representatives regarding the settlement of claims of citizens of the United States against the Government of Germany with respect to the deaths of members of the United States Air Force resulting from the collision off the coast of Namibia of a German Luftwaffe aircraft with a United States Air Force aircraft on September 13, 1997.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1999

Mr. SANFORD (for himself, Mr. GOODE, Mr. HEFLEY, Mr. SAXTON, Mr. LAMPSON, Mr. MCINNIS, Mr. CUNNINGHAM, Mr. DELAY, Mr. MCGOVERN, Mr. DOYLE, and Mr. GILCHREST) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives regarding the settlement of claims of citizens of the United States against the Government of Germany with respect to the deaths of members of the United States Air Force resulting from the collision off the coast of Namibia of a German Luftwaffe aircraft with a United States Air Force aircraft on September 13, 1997.

- 1 Whereas on September 13, 1997, a German Luftwaffe
- 2 Tupelov TU-154M aircraft collided with a United

1 States Air Force C-141 Starlifter aircraft off the
2 coast of Namibia;

3 Whereas as a result of that collision nine members of the
4 United States Air Force were killed, namely: Staff
5 Sergeant Stacey D. Bryant, 32, loadmaster, Provi-
6 dence, Rhode Island; Staff Sergeant Gary A.
7 Bucknam, 25, flight engineer, Oakland, Maine; Cap-
8 tain Gregory M. Cindrich, 28, pilot, Byrans Road,
9 Maryland; Airman 1st Class Justin R. Drager, 19,
10 loadmaster, Colorado Springs, Colorado; Staff Ser-
11 geant Robert K. Evans, 31, flight engineer, Garrison,
12 Kentucky; Captain Jason S. Ramsey, 27, pilot, South
13 Boston, Virginia; Staff Sergeant Scott N. Roberts, 27,
14 flight engineer, Library, Pennsylvania; Captain Peter
15 C. Vallejo, 34, aircraft commander, Crestwood, New
16 York; and Senior Airman Frankie L. Walker, 23, crew
17 chief, Windber, Pennsylvania;

18 Whereas the Final Report of the Ministry of Defense to
19 the Defense Committee of the German Bundestag
20 states unequivocally that, following an investigation,
21 the Directorate of Flight Safety of the German Fed-
22 eral Armed Forces assigned responsibility for the colli-
23 sion to the Aircraft Commander/Commandant of the
24 Luftwaffe Tupelov TU-154M aircraft for flying at a

1 flight level that did not conform to international flight
2 rules;

3 Whereas the United States Air Force accident investiga-
4 tion report concluded that the primary cause of the
5 collision was the Luftwaffe Tupelov TU-154M air-
6 craft flying at an incorrect cruise altitude;

7 Whereas procedures for filing claims under the Status of
8 Forces Agreement are unavailable to the families of
9 the members of the United States Air Force killed in
10 the collision; and

11 Whereas the families of the members of the United States
12 Air Force killed in the collision have filed claims
13 against the Government of Germany: Now, therefore,
14 be it

15 *Resolved*, That it is the sense of the House of Rep-
16 resentatives that the Government of Germany should
17 promptly agree to a fair settlement with, and promptly
18 make payments under that settlement to, the families of
19 the members of the United States Air Force killed in a
20 collision between a United States Air Force C-141
21 Starlifter aircraft and a German Luftwaffe Tupelov TU-
22 154M aircraft off the coast of Namibia on September 13,
23 1997.

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