



# OPERATIONAL CONTROL WHITE PAPER



### SUMMARY

*The safety and stability of the United States airline industry has been compromised by the lack of responsibility and legal liability placed on legacy or mainline air carriers who rely on regional airlines to complete portions of their domestic operations through codeshare partnerships. Congress has the power to stem this escalating threat to aviation safety by revising the definition of operational control to more specifically enumerate the difference between a ticketing carrier and an operating carrier and, of even more consequence, to place legal liability for the safety of its passengers on the mainline or ticketing carrier even if a regional or operating carrier completes the flight.*

*The NetJets Association of Shared Aircraft Pilots is working to educate our Congressional representatives about this practice with the goal of identifying sponsors for legislation to mitigate the growing threat to one of the nation's most important and vital industries.*

*The NJASAP Operational Control White Paper focuses exclusively on this issue and proposes various solutions that can be put in place within the jurisdiction of the U.S. Department of Transportation and CFR Title 49.*

## I. BACKGROUND



On Feb. 2, 2010, the National Transportation Safety Board (NTSB) released the synopsis of its Aircraft Accident Report detailing the crash of Colgan Air, Inc., Flight 3407 – a flight operated on behalf of Continental Airlines via codeshare agreement – during a public hearing. The Continental-Colgan flight crashed into a house just five miles south of Buffalo-Niagara Airport on Feb. 12, 2009, killing all 49 people on board as well as a man on the ground. At the hearing's conclusion, the Safety Board announced its intention to convene a symposium to discuss the implications of codesharing practices later in the year in Washington D.C.

The NTSB has been critical of the Federal Aviation Administration's (FAA) inability to offer a meaningful response to this particular issue. In the words of NTSB Chair Debbie Hersman, the FAA has been "unable to push reforms across the finish line."<sup>1</sup> Additionally, she stated, "We have made recommendations time after time after time. They haven't been heeded by the FAA."<sup>2</sup>

Making carriers responsible for the flights for which they sell tickets will dramatically improve the safety of air travel for the flying public and enable the U.S. aviation industry to recapture its role as a global aviation leader and pioneer. For this reason, the NetJets Association of Shared Aircraft Pilots (NJASAP), which represents the 3,000 professional pilots who fly in the service of NetJets Aviation, Inc., is actively seeking regulatory changes or Congressional action that expands the definition of operational control in a way that places increased liability on ticketing carriers.<sup>3</sup>

## II. PURPOSE



The *NJASAP Operational Control White Paper* identifies the issues of lost liability within the codeshare arrangement between mainline and regional airlines by examining regional carriers' safety records as well as the practice of subcontracting itself. NJASAP maintains the threat to aviation safety and industry stability stemming from this practice could be dramatically reduced by holding mainline carriers accountable for the safety of those passengers who purchase tickets for travel on their airline – regardless of who operates the flight.

## III. THE ORIGIN OF REGIONAL CODESHARING AND ITS PRESENT-DAY SCOPE



The roots of regional codesharing can be traced to 1964 when Allegheny Airlines allowed commuters to use their AL code. According to the Regional Airline Association, which represents regional airlines in North America, the demand for regional airline service has doubled every eight years since the industry was deregulated in 1978; however, the practice of codesharing would not become commonplace until 1984 when the Civil Aeronautics Board allowed American Airlines and United Airlines to subcontract its work to 12 separate, smaller air carriers.

Since that time – and especially throughout the past decade – the number of regional airlines and the domestic flights they complete each and every day has experienced the kind of growth that can only be described as staggering. Today, regional airline service is the exclusive air service in more than 70 percent of the domestic aviation market. Consider, for example, Cleveland Hopkins Airport (CLE): Although CLE serves as a Continental Airlines hub, the mainline carrier only completes 30 or 17 percent of 170<sup>4</sup> daily departures. The remaining 140 departures are made by Continental Connection aircraft, which is the moniker assigned to regional airlines with whom Continental has codeshare agreements.



It should come as no surprise almost half of all domestic flights are completed by regional airlines. A Dec. 7, 2009, article featured in *BusinessWeek* focused on the extent to which mainline carriers rely on their codeshare partners, looking specifically at what percentage of an airline's domestic operations are completed by a regional operator (see *Figure 1*). Throughout the past decade, regional airline operations have increased almost four-fold, flying 21 billion revenue passenger miles in 1999 to 73 billion in 2008.<sup>5</sup>

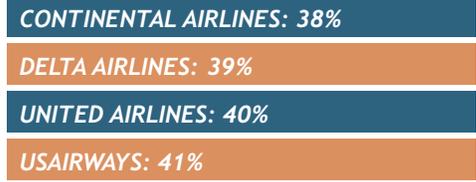


Figure 1

Last year, regional airlines carried more than 158 million passengers, accounting for more than one in every four domestic departures.<sup>6</sup> Interestingly, increased utilization has not been accompanied by increased visibility for the regionals: While United, American and Delta remain trusted, household names, their passengers are routinely transported by their lesser known partners like Chautauqua, Mesa, Skywest and Pinnacle.

Current codeshare partnerships are shown below:

CODESHARING PARTNERSHIPS: Majors & Regionals					
	American Airlines	Continental Airlines	Delta Airlines	United Airlines	USAirways
Air Wisconsin					✓
American Eagle	✓				
Atlantic Southeast			✓		
Chautauqua	✓	✓	✓	✓	✓
Colgan Air		✓		✓	
Comair			✓		
CommutAir		✓			
Compass			✓		
ExpressJet		✓		✓	
Freedom			✓		
GoJet				✓	
Gulfstream		✓			
Mesa				✓	✓
Mesaba			✓		
Piedmont					✓
Pinnacle			✓		
PSA					✓
Republic					✓
Shuttle America			✓	✓	
Skywest			✓	✓	
TransStates			✓	✓	✓

A number of regional airlines subcontract work on behalf of the nation's legacy carriers as shown above. With the exception of Southwest Airlines, every mainline carrier in the United States currently subcontracts a portion of its flying, and, without exception, regional operators are pitted against one another to secure these lucrative agreements.

In order to meet escalating demand, regional airlines are purchasing larger aircraft capable of flying longer distances. Those aircraft that seated 39 passengers in 1999 have been replaced by jets that now seat an average of 54.<sup>7</sup> In some cases, regional airlines fly aircraft similar in size to their mainline partners.



*The startling reality is a regional carrier is not an airline in the traditional sense. Rather, it is a transportation subcontractor who assumes legal liability for ferrying passengers from point A to point B on behalf of the mainline or ticketing carrier.*



IV. THE SUBCONTRACTOR REALITY



The startling reality is a regional carrier is not an airline in the traditional sense. Rather, it is a transportation subcontractor who assumes legal liability for ferrying passengers from point A to point B on behalf of the mainline or ticketing carrier.

Regional air carriers do not maintain marketing departments; they do not advertise; and, they exert no control over the price of their own services. As such, the ability to expand their profit margins is limited to increasing efficiencies within their operational structure. In contrast, mainline carriers remain competitive by adjusting fares, opening new routes, flying to new destinations, altering frequency, and offering promotions among other strategies – none of which are available to regional airlines.

Again, because regional airlines do not set their ticket prices and are in a continual competitive struggle with fellow regional operators, they have few, albeit specific, avenues for cutting costs, and while their income statements may be dissimilar, regional airlines have very similar expenses. For example, the 2008 SkyWest and 2009 Republic Airline financial statements feature the following expenses, including fuel, salaries, wages, benefits, maintenance, materials, repairs, ground handling service, depreciation and amortization, station rentals and fees, ground handling, landing fees, and passenger fees.

A Delta, United and AirTran subcontractor, SkyWest, Inc., operates approximately 300 aircraft and employs more than 10,000 employees in 39 states; Skywest Airlines (SKYW) is traded on the NASDAQ. SkyWest operates exclusively for mainline carriers much like its regional competitors. It was named the “number one on-time mainland airline by the Department of Transportation 2003, 2004, and 2005.” During each of these years, the airline carried more than 40 million passengers combined.<sup>8</sup>

<b>Income Data Comparison</b>		
	<b>SKYWEST</b> <i>(2008 Data)</i>	<b>REPUBLIC</b> <i>(2009 Data)</i>
Operating Revenues	\$2,613,614	\$1,479,755,000
Operating Expenses	2,401,419	1,224,660,000
Operating Income	\$212,195 <sup>9</sup>	\$255,095,000 <sup>10</sup>

Based in Indianapolis, Republic Airways Holdings, Inc., is an airline holding company that owns Chautauqua Airlines, Frontier Airlines, Lynx Aviation, Midwest Airlines, Republic Airlines and Shuttle America; the company (RJET) is publicly traded on the NASDAQ. With the exception of Lynx Aviation, each of Republic’s subsidiaries have codeshare partnerships with mainline carriers, flying their passengers and routes using the legacy airline’s colors.

With limited options, efforts to streamline costs would almost certainly be focused in the area of airline operations, safety and pilot training.

V. WAGE COMPARISON: REGIONAL VERSUS MAJOR AIRLINES



Regional airline pilots are paid far less than their peers employed by mainline carriers. Even if a regional pilot and a mainline pilot have similar seniority and perform similar jobs, the regional pilot can expect to be paid substantially less. A simple pay comparison of these aviation professionals illustrates the dramatic difference.



In Figure 2, which is featured below, the regional carrier listed on the left subcontracts work from the major carrier on the right.

**SALARY COMPARISON**

	REGIONAL	Hourly	Annual <sup>11</sup>	MAJOR	Hourly	Annual <sup>11</sup>
<b>FIRST OFFICER</b>	<b>Air Wisconsin</b>	\$38.00	\$32,832	<b>US Airway</b>	\$68.00	\$58,752
<b>Third-year Base Pay</b>	<b>Colgan</b>	27.00	23,328	<b>Continental</b>	76.00	65,664
	<b>Pinnacle</b>	30.00	25,920	<b>Delta</b>	91.00	78,624
<b>CAPTAIN</b>	<b>Air Wisconsin</b>	\$77.00	\$66,528	<b>US Airway</b>	\$135.00	\$116,640
<b>10-year Base Pay</b>	<b>Colgan</b>	54.00	46,656	<b>Continental</b>	167.00	144,288
	<b>Pinnacle</b>	72.00	62,208	<b>Delta</b>	159.00	137,376

Figure 2

Based on the preceding chart, the average annual salary for a third-year first officer employed by a regional airline is \$27,360 while the average annual salary for a first officer flying on behalf of a major airline is \$67,680. A similar and dramatic discrepancy also exists in a captain's pay: A 10-year regional airline captain is paid an average annual salary of \$58,464 while his or her major airlines counterpart receives \$132,768.

**VI. FATAL AIRCRAFT CRASHES: 2001-2009**

On Nov. 12, 2001, an American Airlines Airbus 300 crashed after departing JFK Airport, killing all 265 passengers and crew. Since that time, an additional five fatal airline crashes have occurred in the United States. Four of those crashes involved regional airlines flying on behalf of a major carrier.

Regional Subcontractor	Mainline Carrier	Accident Date	Total Fatalities
Colgan	Continental	2/12/2009	50
Comair	Delta	8/27/2006	49
Corporate Airlines	American	10/19/2004	13
Midwest Express	USAirways	1/8/2003	21

The fifth crash occurred on Dec. 8, 2005, when Southwest Airlines Flight 1248 overran runway 31C while attempting to depart Chicago Midway International Airport, killing one person on the ground.

**VII. ACCIDENT STATISTICS: REGIONAL VERSUS MAJOR AIRLINES**

Pilots who have logged the requisite number of flight hours and the certification necessary to become a professional aviator have long used employment opportunities at regional carriers to train for and to gain the experience necessary to apply for a position with a mainline carrier. While the workforce pool has remained the same, the regional airline has changed,



## THE CASE FOR OPERATIONAL CONTROL

transitioning from a carrier that flies smaller jets along shorter routes to airlines capable of flying more passengers further distances. The deadly ramifications of entrusting relatively inexperienced pilots with regional jets filled to capacity are evidenced by 30 years of airline accident statistics.

According to the NTSB, a total of 71 airline accidents have occurred since 1979, 41 of which resulted in fatalities. The remaining 30 accidents were non fatal.<sup>12</sup>

### AIRLINE ACCIDENTS: 1979-2010

REGIONAL AIRLINES	FATAL CRASHES	NON-FATAL CRASHES	TOTAL DEATHS	CAUSE(S)
AirMidwest	1		21	MX
Air Wisconsin	1		13	PE
American Eagle	5	4	101	WX; PE; PE; MX; PE; MA
Atlantic Southeast	2		32	PF; MX
Colgan	2		52	PE; PE; MX
Comair	4		89	IC; IC; PE; PE
Commutair	1		2	PE
Corporate Airlines	1		13	PE; PF
Horizon	2			MX; MX
Pinnacle	1	1	2	PE; PE
PSA		1		PE
Piedmont (Henson)	1	3	14	PE; PX; PT
Skywest	2	3	22	RI
USAirways Express	2			MX; PE
<b>TOTAL</b>	<b>21</b>	<b>14</b>	<b>347</b>	

MAJOR AIRLINES	FATAL CRASHES	NON-FATAL CRASHES	TOTAL DEATHS	CAUSE(S)
Alaska	1	1	88	MX
American Airlines	4	10	547	(2 of 10 NF = PE)
Continental	1	1	28	PE; UNK
Delta	3		150	PE, Fire
Northwest	2		162	PE; COL
Southwest	1	1	1	RO
United	3		143	ST; MX
US Airways	5	3	232	PE, ATC; PE, PE, MX
<b>TOTAL</b>	<b>20</b>	<b>16</b>	<b>1,351</b>	

#### CHART KEY

ATC: Air Traffic Control  
COL: Collision  
IC: Icing  
MX: Maintenance

PE: Pilot Error  
PF: Pilot Fatigue  
PT: Pilot Training  
PX: Pilot Experience

RI: Runway Incursion  
RO: Runway Overrun  
ST: Structural  
UNK: Unknown

WX: Weather

*Pilot error is attributed to the vast majority of regional airline accidents, which is in stark contrast to the causal factors attributed to mainline carrier crashes. Since 1979, almost half of both fatal and non-fatal accidents involving regional carriers were attributed to pilot error and inexperience, while only eight or 23 percent of major carrier crashes were due to pilot error.*

Accident Cause	RGNL AIR	MAJ AIR
Pilot Error	15	8
Maintenance	6	1
Fatigue	2	
Icing	2	
Experience/Training	1	
Runway Incursion	1	1
Other	7	15

*Other causes include: weather, fire, midair collision, structural failure, mechanical, and ATC*



*Pilot error is attributed to the vast majority of regional airline accidents, which is in stark contrast to the causal factors attributed to mainline carrier crashes.*

## VIII. LEGAL LIABILITY OF SUBCONTRACTING

On Aug. 27, 2006, Delta Connection Flight 5191, operated by Comair Airlines, crashed after the crew attempted to takeoff from the wrong runway at Blue Grass Airport in Lexington, Ky. All 47 passengers perished along with the captain and the flight attendant.

At the outset of the lawsuit filed against Delta Airlines by the victims' families, the judge dismissed Delta as a defendant because the airline had neither hired nor trained the pilots.<sup>13</sup>

Ironically, at the time of the accident, Comair was a wholly owned subsidiary of Delta Airlines, Inc.

## IX. DECEPTIVE EFFORTS: FALSE ADVERTISING

Passengers who purchase tickets using the Internet or through travel agencies will very likely be transported to their destination by a different airline than the one for which they purchased a ticket. For example, it is highly probable a passenger who purchases a US Airways ticket will travel with one of the airline's nine subcontractors rather than the major carrier itself.

Although an airline ticket will occasionally list the operating carrier in fine print and the FAA Reauthorization Bill of 2009 requires the ticketing carrier to name the flight's operating carrier at the time of purchase, a passenger has little guarantee he or she will not be bumped onto a flight operated by a regional carrier. What's more, these notifications do not give a passenger any type of real control over choosing whether he or she will complete travel with a major or regional carrier. As a rule, the flying public does not discern between a major airline and its many subcontractors or subsidiaries, and the airlines take great pains to keep it that way.

When a regional airline enters a subcontracting agreement with a mainline carrier, the regional takes very specific steps to create the perception the partners are one in the same: The regional will paint its aircraft using colors and design elements similar to its codeshare partner; its pilots will wear uniforms that look very much like those of their mainline counterparts; and the aircraft's seat pockets will be filled with the major's magazines. These savvy efforts are intended to engender a sense of genuine association between the regional and major airline, which simply does not exist. This practice begs the question of whether codeshare arrangements perpetuate false advertising. To prove false advertising, a plaintiff must prove five things:<sup>14</sup>

- 1) A false statement has been made about the advertiser's own or another person's goods, services, or commercial activity;
- 2) the statement either deceives or has the potential to deceive a substantial portion of its targeted audience;
- 3) the deception will likely affect the purchasing decisions of its audience;
- 4) the advertising involves goods and services in interstate commerce; and,
- 5) the deception has either resulted in or is likely to result in injury to the plaintiff.

While regional and major carriers are working very hard to create the perception of seamless travel, nothing could be further from the truth. One need only look at 30 years of accident statistics to see the startling distinction between these carriers.



### X. WHY OPERATIONAL CONTROL SHOULD BE CONSOLIDATED

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Consolidating operational control will ensure consistency amid and the observance of best practices by all domestic carriers, guaranteeing the highest level of safety for the ticket holder. To effect lasting change, there must be equivalency in hiring requirements, scheduling parameters, fatigue mitigation efforts, duty and rest strictures, maintenance processes and protocols and safety practices and programs for the regional airline and the major carrier. When both carriers are held to the same standards, whether a passenger flies aboard a regional or mainline aircraft will be inconsequential.

The flying public deserves no less than the basic assurance that all airlines are held to and expected to abide by the same standards.

### XI. IMPLEMENTATION OPTIONS

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Three realistic options exist to consolidate operational control: The first option would amend USC Title 49, Chapter 417; the second option calls amendments to pending legislation; and, the third option would implement a regulatory change to 14 CFR. Each option is discussed in additional detail below:



#### **Option 1: Amend USC Title 49, Chapter 417**

**Amendment #1:** Add an operational control provision such as, “*All ticketing carriers that utilize codeshare partners or other arrangements for carrying passengers by air on tickets issued by the ticketing carrier must exert operational control over its operating carriers.*”

This amendment is intended to hold the ticketing carrier responsible for the operating carrier’s compliance with all Federal Aviation Regulations and to ensure the operating and ticketing carriers are held to the same standards relative to pilot qualifications, scheduling and rest rules, training requirements, and maintenance standards and practices.

**Amendment #2:** Define the operating carrier as the carrier that earns more than half of the revenue from fees and payment under the codeshare agreement.

This amendment would give ticketing carriers the opportunity to continue to engage in joint ventures such as alliances with foreign carriers (e.g., the partnership between American Airlines and British Airways).



#### **Option #2: Amend USC Title 49, Chapter 417 via Pending Legislation**

The amendments described in Option #1 would be attached to pending legislation such as the Airline Passenger Bill of Rights Act of 2009, companion legislation introduced as H.R. 624 and S. 213 in their respective chambers.

**Since 1979, regional and major airlines have been involved in 35 and 36 fatal accidents, respectively. The stark difference rests in the number of accidents attributed to pilot error: 15 or 42% of regional carrier accidents have been attributed to pilot error while only 8 or 23% of accidents involving major carriers have been linked to the same.**



### **Options #3: Institute a Regulatory Change to 14 CFR**

The Office of the Secretary of Transportation currently has the regulatory authority under 49 USC § 40113 and 44071 to effect operational control-related changes, which could take the shape of the proposed rules featured below:

*Rule #1: The ticketing carrier must ensure the operating carrier meets all applicable Federal Aviation Regulations and observes standards equivalent to its own hiring, training, and operational practices and procedures.*

*Rule #2: When carriers enter into a codeshare agreement, the ticketing carrier will assume responsibility for ensuring the operating carrier meets hiring, training and operating standards equivalent to its own.*

*Rule #3: In the operating carrier's FAA-approved manuals, Company policies or agreements must be made pursuant to 45 USC, 181 et seq.*

These particular rules would make tremendous strides toward addressing the Department of Transportation Inspector General's criticism that the FAA is not a party to regional code-share agreements, and these arrangements lack sufficient oversight. Option #3 seeks rule changes that can be made using current statutory authority rather than a Congressional act.

## **XII. THE GOAL OF CONSOLIDATION**

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Consolidating operational control is intended to place legal liability on the ticketing carrier. The flying public – your constituency – deserves and should be able expect the highest level of safety when traveling with our nation's airlines, and those same airlines should be held responsible for the safety of its ticketed passengers.

Allowing mainline carriers to subcontract work to regional airlines and, simultaneously, to evade responsibility is not only a deceptive practice, but also fosters an industry environment in which smaller carriers continually cut costs to secure lucrative contracts from mainline carriers. This cycle has had deadly repercussions for the flying public as these cost-cutting efforts generally manifest themselves in safety and training shortcuts – two areas that are frequently cited as the causes of fatal accidents.

Requiring ticketing carriers to assume legal liability for their subcontractors can bring about the sea change the airline industry so desperate needs and the flying public deserves.



A self-governing organization, the NetJets Association of Shared Aircraft Pilots (NJASAP) represents the men and women who fly in the service of NetJets Aviation, Inc. Although the pilot group was previously affiliated with a different labor representative, the pilots chose to put their trust in an independent organization devoted solely to protecting their professional interests in June 2008.

Aviation is among the nation's most extensively regulated industries, making the piloting profession incredibly unique. Thusly, professional airmen and women require an advocate who is exclusively focused on enhancing and protecting their interests in the short and long term: NJASAP was structured with this very consideration in mind.



*NetJets Association  
of Shared Aircraft Pilots*

# NJASAP

Decisions on behalf of the Association's membership are made by democratically elected leaders who share the cockpit with fellow Union members each and every day. Indeed, the nine-member Executive Board measures every decision and endeavor against how it can best serve the pilot group. Whether negotiating a new collective bargaining agreement, enforcing an existing agreement, or working to enhance operational safety, the Board considers its responsibility to the membership of paramount importance.

A commitment to govern with transparency and accountability has long characterized those volunteers who assume the mantle of Union leadership, and this dedication to leading with integrity has earned the membership's respect and trust. In the months and years ahead, NJASAP will continue to cultivate a culture of mutual respect and courtesy that extends not only to the membership, but also to the individuals, organizations and businesses with whom it partners to further the interests of the fractional aviation community and its stakeholders.

NJASAP has designated the issue of operational control as its principal legislative initiative because of the tremendous ramifications associated with domestic codesharing practices. These partnerships continue to increase in number even though they are resulting in more and more fatal crashes like the mid-February 2009 Colgan Flight 3407 crash. Because our members rely on air travel for transport to and from work, we are keen to ensure their safety. What's more, such extensive codesharing practices have diminished the stability and security of professional opportunities within our industry.

With that in mind, NJASAP is eager to discuss this topic with you in greater detail. Whether in a formal or informal setting or in person or via teleconference, we are keen to secure reforms that strengthen the stability of the aviation industry and the safety of its passengers.

Please do not hesitate to contact **NJASAP Vice President of Industry Affairs Capt. Dan Lieff** via email, [dlieff@njasap.com](mailto:dlieff@njasap.com), or telephone, (937) 708-9103.



## ENDNOTES



- <sup>1</sup> Lowry, Joan. "Flight 3407: NTSB Pins Blame on Pilots". February 2, 2010 <<http://rocnow.com/article/local-news/20102030338>>.
- <sup>2</sup> Ibid.
- <sup>3</sup> "Ticketing Carrier" is defined in this document as any carrier that sells tickets to the general public for the purpose of air travel.
- <sup>4</sup> Grant, Allison. "Major Airline and Regional Partner Relationship Raised During Colgan Hearing." February 2, 2010 <[http://www.cleveland.com/business/index.ssf/2010/02/major\\_airline\\_and\\_regional\\_par.html](http://www.cleveland.com/business/index.ssf/2010/02/major_airline_and_regional_par.html)>.
- <sup>5</sup> "Regional Airline Association". Regional Airline Association. April 8, 2010 <<http://www.raa.org/>>.
- <sup>6</sup> Ibid.
- <sup>7</sup> Ibid.
- <sup>8</sup> "SkyWest Airlines Fact Sheet". Skywest Airlines. April 8, 2010 <<http://www.skywest.com/about/skywest-fleet.php>>.
- <sup>9</sup> Ibid.
- <sup>10</sup> "Republic Airways Investor Relations Home". Republic Airways Holdings. April 8, 2010 <<http://republicairways.com/investorrelations.html>>.
- <sup>11</sup> Guarantee minimum pay hours per month for all airlines mentioned is 72 hours with the exception of Delta, which is 65. For purposes of this comparison, 72 hours was used. Because airlines maintain different fleets, the comparison focused on entry level aircraft which has lower pay scales for both captains and first officers.
- <sup>12</sup> Accident data was obtained from the National Transportation Safety Board Web site. Aircraft hijacked on Sept. 11, 2001, were not included in the survey.
- <sup>13</sup> United States District Court for the Eastern District of Kentucky, Central Division. Case Number 5:06-cv-316-KSF.
- <sup>14</sup> "Deceptive Marketing Legal Definition". The Free Dictionary by Farlex. April 9, 2010 <<http://legaldictionary.thefreedictionary.com/Deceptive+marketing>>.



#### ***About NJASAP Industry Affairs Vice President Capt. Dan Loeff***

Having logged more than 7,000 flight hours spanning a 21-year career, Capt. Dan Loeff pursued a lifelong passion for aviation as a college student enrolled at Sonoma State University, obtaining his private pilot's license in 1990. An active ROTC cadet, Loeff was commissioned as a second lieutenant with the United States Army in 1996 and was stationed at Ft. Bragg, N.C., where he served as part of the 82nd Airborne Division. During his tour of duty, Loeff continued to pursue aviation, working at the Fayetteville airport as its chief flight instructor. When Loeff left the military in 1999, he accepted his first airline job, flying with regional airline PSA as a Dornier 328 first officer. One year later, he accepted a position with Emery Worldwide Airlines where he flew as a second officer in the DC8. When Emery ceased operations in 2001, Loeff transitioned to Pinnacle Airlines, flying a regional jet on behalf of the Memphis-based carrier. In September 2002, Loeff accepted a position with NetJets Aviation, Inc., beginning his fractional career in the right seat of the Citation Excel. An opportunity to become a pilot in command presented itself two and a half years later, when he upgraded to the left seat of the Ultra. Since then, he has transitioned to the Encore Plus not only as the PIC but also with the designation of an Initial Operating Experience (IOE) captain.

Loeff has been an active Union advocate since his early days at PSA, serving in a variety of leadership roles. In November 2008, he was elected to serve in his current capacity as the NJASAP Vice President of Industry Affairs. As such, he spends considerable time in Washington D.C., working to increase NJASAP's presence on Capitol Hill and to advance the Association's legislative initiatives.

Loeff lives in Yellow Springs, Ohio with his wife and two children.





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