

108TH CONGRESS  
1ST SESSION

# S. 579

To reauthorize the National Transportation Safety Board, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 7, 2003

Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. LOTT, Mr. ROCKEFELLER, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To reauthorize the National Transportation Safety Board,  
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Transpor-  
5 tation Safety Board Reauthorization Act of 2003”.

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) FISCAL YEARS 2003–2006.—Section 1118(a) of  
8 title 49, United States Code, is amended—

9 (1) by striking “and”; and

1           (2) by striking “such sums to” and inserting  
2           the following: “\$73,325,000 for fiscal year 2003,  
3           \$78,757,000 for fiscal year 2004, \$83,011,000 for  
4           fiscal year 2005, and \$87,539,000 for fiscal year  
5           2006. Such sums shall”.

6           (b) EMERGENCY FUND.—Section 1118(b) of such  
7           title is amended by striking the second sentence and in-  
8           serting the following: “In addition, there are authorized  
9           to be appropriated such sums as may be necessary to in-  
10          crease the fund to, and maintain the fund at, a level not  
11          to exceed \$3,000,000.”.

12          (c) NTSB ACADEMY.—Section 1118 of such title is  
13          amended by adding at the end the following:

14          “(c) ACADEMY.—

15                 “(1) AUTHORIZATION.—There are authorized to  
16                 be appropriated to the Board for necessary expenses  
17                 of the National Transportation Safety Board Acad-  
18                 emy, not otherwise provided for, \$3,347,000 for fis-  
19                 cal year 2003, \$4,896,000 for fiscal year 2004,  
20                 \$4,995,000 for fiscal year 2005, and \$5,200,000 for  
21                 fiscal year 2006. Such sums shall remain available  
22                 until expended.

23                 “(2) FEES.—The Board may impose and collect  
24                 such fees as it determines to be appropriate for serv-  
25                 ices provided by or through the Academy.

1           “(3) RECEIPTS CREDITED AS OFFSETTING COL-  
2           LECTIONS.—Notwithstanding section 3302 of title  
3           31, any fee collected under this paragraph—

4                   “(A) shall be credited as offsetting collec-  
5                   tions to the account that finances the activities  
6                   and services for which the fee is imposed;

7                   “(B) shall be available for expenditure only  
8                   to pay the costs of activities and services for  
9                   which the fee is imposed; and

10                   “(C) shall remain available until expended.

11           “(4) REFUNDS.—The Board may refund any  
12           fee paid by mistake or any amount paid in excess of  
13           that required.”.

14           (c) REPORT ON ACADEMY OPERATIONS.—The Na-  
15           tional Transportation Safety Board shall transmit an an-  
16           nual report to the Congress on the activities and oper-  
17           ations of the National Transportation Safety Board Acad-  
18           emy.

19           **SEC. 3. ASSISTANCE TO FAMILIES OF PASSENGERS IN-**  
20                   **VOLVED IN AIRCRAFT ACCIDENTS.**

21           (a) RELINQUISHMENT OF INVESTIGATIVE PRI-  
22           ORITY.—Section 1136 of title 49, United States Code, is  
23           amended by adding at the end the following:

24                   “(j) RELINQUISHMENT OF INVESTIGATIVE PRI-  
25           ORITY.—

1           “(1) GENERAL RULE.—This section (other than  
2           subsection (g)) shall not apply to an aircraft acci-  
3           dent if the Board has relinquished investigative pri-  
4           ority under section 1131(a)(2)(B) and the Federal  
5           agency to which the Board relinquished investigative  
6           priority is willing and able to provide assistance to  
7           the victims and families of the passengers involved  
8           in the accident.

9           “(2) BOARD ASSISTANCE.—If this section does  
10          not apply to an aircraft accident because the Board  
11          has relinquished investigative priority with respect to  
12          the accident, the Board shall assist, to the maximum  
13          extent possible, the agency to which the Board has  
14          relinquished investigative priority in assisting fami-  
15          lies with respect to the accident.”.

16          (b) REVISION OF MOU.—Not later than 1 year after  
17          the date of enactment of this Act, the National Transpor-  
18          tation Safety Board and the Federal Bureau of Investiga-  
19          tion shall revise their 1977 agreement on the investigation  
20          of accidents to take into account the amendments made  
21          by this section and shall submit a copy of the revised  
22          agreement to the Committee on Transportation and Infra-  
23          structure of the House of Representatives and the Com-  
24          mittee on Commerce, Science, and Transportation of the  
25          Senate.

1 **SEC. 4. RELIEF FROM CONTRACTING REQUIREMENTS FOR**  
2 **INVESTIGATIONS SERVICES.**

3 Section 1113(b) of title 49, United States Code, is  
4 amended—

5 (1) by striking “Statutes;” in paragraph (1)(B)  
6 and inserting “Statutes, and, for investigations con-  
7 ducted under section 1131, enter into such agree-  
8 ments or contracts without regard to any other pro-  
9 vision of law requiring competition if necessary to  
10 expedite the investigation;”; and

11 (2) by adding at the end the following:

12 “(3) The Board, as a component of its annual report  
13 under section 1117, shall include an enumeration of each  
14 contract for \$25,000 or more executed under this section  
15 during the preceding calendar year.”.

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