

108TH CONGRESS  
1ST SESSION

# H. R. 1527

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IN THE SENATE OF THE UNITED STATES

MAY 15, 2003

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

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## AN ACT

To amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003 through 2006, 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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

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

7 (1) by striking “and”; and

8 (2) by striking “such sums to” and inserting  
9 the following: “\$73,325,000 for fiscal year 2003,  
10 \$78,757,000 for fiscal year 2004, \$83,011,000 for  
11 fiscal year 2005, and \$87,539,000 for fiscal year  
12 2006. Such sums shall”.

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

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

21 “(c) ACADEMY.—There are authorized to be appro-  
22 priated to the Board for necessary expenses of the Na-  
23 tional Transportation Safety Board Academy, not other-  
24 wise provided for, \$3,347,000 for fiscal year 2003,  
25 \$4,896,000 for fiscal year 2004, \$4,995,000 for fiscal year

1 2005, and \$5,200,000 for fiscal year 2006. Such sums  
2 shall remain available until expended.”.

3 **SEC. 3. ACCIDENT AND SAFETY DATA CLASSIFICATION AND**  
4 **PUBLICATION.**

5 Section 1119 of title 49, United States Code, is  
6 amended by adding at the end the following:

7 “(c) APPEALS.—

8 “(1) NOTIFICATION OF RIGHTS.—In any case  
9 in which an employee of the Board determines that  
10 an occurrence associated with the operation of an  
11 aircraft constitutes an accident, the employee shall  
12 notify the owner or operator of that aircraft of the  
13 right to appeal that determination to the Board.

14 “(2) PROCEDURE.—The Board shall establish  
15 and publish the procedures for appeals under this  
16 subsection.

17 “(3) LIMITATION ON APPLICABILITY.—This  
18 subsection shall not apply in the case of an accident  
19 that results in a loss of life.”.

20 **SEC. 4. SECRETARY OF TRANSPORTATION’S RESPONSES TO**  
21 **SAFETY RECOMMENDATIONS.**

22 Section 1135(d) of title 49, United States Code, is  
23 amended to read as follows:

24 “(d) REPORTING REQUIREMENTS.—

1           “(1) ANNUAL SECRETARIAL REGULATORY STA-  
2           TUS REPORTS.—On February 1 of each year, the  
3           Secretary shall submit a report to Congress and the  
4           Board containing the regulatory status of each sig-  
5           nificant safety recommendation made by the Board  
6           to the Secretary (or to an Administration within the  
7           Department). The Secretary shall continue to report  
8           on the regulatory status of each such recommenda-  
9           tion in the report due on February 1 of subsequent  
10          years until final regulatory action is taken on that  
11          recommendation or the Secretary (or an Administra-  
12          tion within the Department) determines and states  
13          in such a report that no action should be taken.

14          “(2) FAILURE TO REPORT.—If on March 1 of  
15          each year the Board has not received the Secretary’s  
16          report required by this subsection, the Board shall  
17          notify the Committee on Transportation and Infra-  
18          structure of the House of Representatives and the  
19          Committee on Commerce, Science, and Transporta-  
20          tion of the Senate of the Secretary’s failure to  
21          submit the required report.

22          “(3) SIGNIFICANT SAFETY RECOMMENDATION  
23          DEFINED.—For the purposes of this subsection, the  
24          term ‘significant safety recommendation’ means a  
25          recommendation included in the Board’s ‘most want-

1 ed list’ and any recommendation concerning 15-pas-  
2 senger van safety, railroad grade crossing safety,  
3 and medical certifications for a commercial driver’s  
4 license.

5 “(4) TERMINATION.—This subsection shall  
6 cease to be in effect after the report required to be  
7 filed on February 1, 2008, is filed.”.

8 **SEC. 5. ASSISTANCE TO FAMILIES OF PASSENGERS IN-**  
9 **VOLVED IN AIRCRAFT ACCIDENTS.**

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

13 “(j) RELINQUISHMENT OF INVESTIGATIVE PRI-  
14 ORITY.—

15 “(1) GENERAL RULE.—This section (other than  
16 subsection (g)) shall not apply to an aircraft acci-  
17 dent if the Board has relinquished investigative pri-  
18 ority under section 1131(a)(2)(B) and the Federal  
19 agency to which the Board relinquished investigative  
20 priority is willing and able to provide assistance to  
21 the victims and families of the passengers involved  
22 in the accident.

23 “(2) BOARD ASSISTANCE.—If this section does  
24 not apply to an aircraft accident because the Board  
25 has relinquished investigative priority with respect to

1 the accident, the Board shall assist, to the maximum  
2 extent possible, the agency to which the Board has  
3 relinquished investigative priority in assisting fami-  
4 lies with respect to the accident.”.

5 (b) REVISION OF MOU.—Not later than 1 year after  
6 the date of enactment of this Act, the National Transpor-  
7 tation Safety Board and the Federal Bureau of Investiga-  
8 tion shall revise their 1977 agreement on the investigation  
9 of accidents to take into account the amendments made  
10 by this section and shall submit a copy of the revised  
11 agreement to the Committee on Transportation and Infra-  
12 structure of the House of Representatives and the Com-  
13 mittee on Commerce, Science, and Transportation of the  
14 Senate.

15 **SEC. 6. TECHNICAL AMENDMENTS.**

16 Section 1131(a)(2) of title 49, United States Code,  
17 is amended by moving subparagraphs (B) and (C) 4 ems  
18 to the left.

Passed the House of Representatives May 15, 2003.

Attest:

JEFF TRANDAHL,

*Clerk.*

By MARTHA C. MORRISON,

*Deputy Clerk.*