

107TH CONGRESS  
2D SESSION

# S. 2950

To amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003, 2004, and 2005, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2002

Mr. HOLLINGS (for himself, Mr. MCCAIN, Mr. ROCKEFELLER, Mrs. HUTCHISON, Mr. BREAU, and Mr. SMITH of Oregon) 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 amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003, 2004, and 2005, 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 2002”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) FISCAL YEARS 2003–2005.—Section 1118(a) of  
3 title 49, United States Code, is amended—

4 (1) by striking “and”; and

5 (2) by striking “such sums to” and inserting  
6 the following: “\$73,325,000 for fiscal year 2003,  
7 \$84,999,000 for fiscal year 2004, and \$89,687,000  
8 for fiscal year 2005. Such sums shall”.

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

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

17 “(c) ACADEMY.—

18 “(1) AUTHORIZATION.—There are authorized to  
19 be appropriated to the Board for necessary expenses  
20 of the National Transportation Safety Board Acad-  
21 emy, not otherwise provided for, \$3,347,000 for fis-  
22 cal year 2003, \$4,896,000 for fiscal year 2004, and  
23 \$4,995,000 for fiscal year 2005. Such sums shall re-  
24 main available until expended.

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

4           “(3) RECEIPTS CREDITED AS OFFSETTING COL-  
5           LECTIONS.—Notwithstanding section 3302 of title  
6           31, any fee collected under this paragraph—

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

10                   “(B) shall be available for expenditure only  
11                   to pay the costs of activities and services for  
12                   which the fee is imposed; and

13                   “(C) shall remain available until expended.

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

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

1 **SEC. 3. ASSISTANCE TO FAMILIES OF PASSENGERS IN-**  
2 **VOLVED IN AIRCRAFT ACCIDENTS.**

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

6 “(j) **RELINQUISHMENT OF INVESTIGATIVE PRI-**  
7 **ORITY.**—

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

16 “(2) **BOARD ASSISTANCE.**—If this section does  
17 not apply to an aircraft accident because the Board  
18 has relinquished investigative priority with respect to  
19 the accident, the Board shall assist, to the maximum  
20 extent possible, the agency to which the Board has  
21 relinquished investigative priority in assisting fami-  
22 lies with respect to the accident.”.

23 (b) **REVISION OF MOU.**—Not later than 1 year after  
24 the date of enactment of this Act, the National Transpor-  
25 tation Safety Board and the Federal Bureau of Investiga-  
26 tion shall revise their 1977 agreement on the investigation

1 of accidents to take into account the amendments made  
2 by this section and shall submit a copy of the revised  
3 agreement to the Committee on Transportation and Infra-  
4 structure of the House of Representatives and the Com-  
5 mittee on Commerce, Science, and Transportation of the  
6 Senate.

7 **SEC. 4. RELIEF FROM CONTRACTING REQUIREMENTS FOR**  
8 **INVESTIGATIONS SERVICES.**

9 Section 1113(b) of title 49, United States Code, is  
10 amended—

11 (1) by striking “Statutes;” in paragraph (1)(B)  
12 and inserting “Statutes, and, for investigations con-  
13 ducted under section 1131, enter into such agree-  
14 ments or contracts without regard to any other pro-  
15 vision of law requiring competition if necessary to  
16 expedite the investigation;”; and

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

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

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