

HR 4714

National Transportation Safety Board Reauthorization Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Mar 2, 2010

Current Status: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transp

Latest Action: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Sep 29, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/4714>

Sponsor

Name: Rep. Oberstar, James L. [D-MN-8]

Party: Democratic • **State:** MN • **Chamber:** House

Cosponsors (7 total)

| Cosponsor | Party / State | Role | Date Joined |
|---------------------------------------------|---------------|------|-------------|
| Del. Norton, Eleanor Holmes [D-DC-At Large] | D · DC | | Mar 2, 2010 |
| Rep. Costello, Jerry F. [D-IL-12] | D · IL | | Mar 2, 2010 |
| Rep. Cummings, Elijah E. [D-MD-7] | D · MD | | Mar 2, 2010 |
| Rep. DeFazio, Peter A. [D-OR-4] | D · OR | | Mar 2, 2010 |
| Rep. Mica, John L. [R-FL-7] | R · FL | | Mar 2, 2010 |
| Rep. Petri, Thomas E. [R-WI-6] | R · WI | | Mar 2, 2010 |
| Rep. Brown, Corrine [D-FL-3] | D · FL | | Mar 4, 2010 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------------------------|---------|-----------------|--------------|
| Commerce, Science, and Transportation Committee | Senate | Referred To | Sep 30, 2010 |
| Transportation and Infrastructure Committee | House | Discharged from | Mar 3, 2010 |

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

| Bill | Relationship | Last Action |
|------------|--------------|---------------------------------|
| 111 S 2768 | Related bill | May 14, 2010: Held at the desk. |

National Transportation Safety Board Reauthorization Act of 2010 - Revises specified administrative requirements for the National Transportation Safety Board (NTSB).

(Sec. 3) Revises the term "accident" to expand the authority of the NTSB to investigate: (1) accidents which result in the death of or serious injury to a person, regardless of whether they are accidental or not; and (2) at its discretion, incidents that affect transportation safety, but do not involve the destruction or damage of a vehicle, aircraft, or pipeline.

(Sec. 5) Authorizes the NTSB by subpoena to summon witnesses and obtain any and all evidence relevant to an accident investigation.

Grants the NTSB authority to negotiate, enter into, and perform contracts, leases, or other transactions with individuals, private entities, departments, agencies, federal, state, or local governments, and governments of foreign countries to carry out NTSB functions, and require them to compensate the NTSB for the costs of facilities, goods, services, or training it provides. Limits lease authority to rental of special use space related to an accident investigation, or of general use space, at an average annual rental cost of not more than \$300,000 for any individual property.

Requires the NTSB to: (1) establish by regulation criteria to determine whether or not it will hold a public hearing for each accident investigation and safety study it undertakes; and (2) report annually to Congress on the implementation of such criteria, including an explanation of any instance in which it did not hold a public hearing for an investigation of an accident that caused significant loss of life or property damage or that involved a national transportation safety issue.

Authorizes the NTSB to procure accidental death and dismemberment insurance for its employees who travel for accident investigations under hazardous circumstances.

(Sec. 6) Authorizes the NTSB, in certain circumstances, to disclose commercial or financial or certain information that could be classified which is submitted to it in the course of a NTSB accident investigation or study. Requires the submitter to annotate the information to indicate its restricted nature.

Declares that disclosures of information to protect public health and safety may include disclosures through accident investigation reports, safety studies, and safety recommendations.

Prohibits the NTSB from disclosing to the public a vessel's voice or video recordings or transcripts of oral communications among the crew, pilots, or docking masters of a vessel, vessel traffic services, or other vessels, or between vessel crewmembers and company communications centers, related to a marine casualty under investigation. Allows public disclosure, in certain circumstances, of parts of a transcript or any written depiction of visual information relevant to a marine casualty.

Authorizes the NTSB, but repeals the current requirement, to release records pertaining to a foreign aircraft accident investigation when the country conducting the investigation issues its final report or two years following the date of the accident, whichever occurs first.

Prohibits a party representative to an NTSB accident or marine casualty investigation from disclosing investigative information to any person who is not an NTSB employee or a party representative to the investigation. Prescribes a civil penalty for violation of such prohibition. Allows an accident's investigator-in-charge, however, to authorize a party representative to disclose such information if necessary to: (1) prevent additional accidents or marine casualties; (2)

address a perceived safety deficiency; or (3) assist in the conduct of the investigation.

Directs the Comptroller General to study and report to Congress on the use of party representatives in NTSB investigations.

(Sec. 7) Authorizes accident investigation training of NTSB employees in theory and techniques and on transportation safety methods to advance NTSB safety recommendations.

(Sec. 8) Declares that nothing in related reporting requirements restricts the NTSB from: (1) making urgent safety recommendations it identifies during the course of a NTSB safety investigation or study; or (2) recommending interim measures to mitigate risks to transportation safety pending implementation of more comprehensive measures.

Repeals the requirement for an annual audit and evaluation of NTSB programs and expenditures.

(Sec. 9) Reauthorizes appropriations to the NTSB for FY2011-FY2014.

Allows the NTSB to accept fees in advance for its courses and rental spaces.

(Sec. 10) Revises the authority of the NTSB to investigate transportation accidents to: (1) emphasize that its goal is, in part, to establish causes or probable causes (instead of a single cause or probable cause); (2) eliminate the requirement that the NTSB investigate railroad trespasser accidents; and (2) include accidents in response to an international request and delegation under appropriate international conventions, coordinated through the Department of State and accepted by the NTSB.

Grants the Secretary of Transportation (DOT) or the Secretary of the department in which the Coast Guard is operating, or a designee, upon delegation by the NTSB, the authority of the NTSB to enter property where an aircraft accident has occurred or wreckage from the accident is located and to gather evidence in support of an NTSB investigation.

Requires the NTSB Chairman to seek to enter into a memorandum of understanding with the DOT Secretary and the head of each DOT modal administration that sets forth: (1) an understanding of the conditions under which the NTSB will conduct an incident investigation that involves the applicable mode of transportation; and (2) the roles and responsibilities of the parties to the memorandum when the NTSB is conducting such an investigation.

(Sec. 11) Authorizes the NTSB, with the consent of the Secretary of the department in which the Coast Guard is operating, to delegate its authority to investigate major marine casualty accidents to the Commandant of the Coast Guard. Prohibits the delegation of such authority unless Coast Guard investigators have met certain training and qualifications requirements.

(Sec. 12) Grants NTSB designees authority to conduct on-scene fact-finding for the NTSB.

Authorizes the NTSB, an officer, or employee in aircraft accident investigations to: (1) seize any recording device and recording pertinent to the accident; and (2) require specific information only available from the aircraft manufacturer to enable it to interpret any flight parameter or navigation storage device or media on board the aircraft.

(Sec. 14) Revises requirements for air carrier and foreign air carrier plans for addressing the needs of families of passengers involved in aircraft accidents that incur major loss of life. Requires air carriers to make a reasonable attempt to notify the family of a passenger at least 60 days prior to the planned destruction of any unclaimed property of the passenger.

(Sec. 15) Requires the NTSB and the Secretary of the department in which the Coast Guard is operating to prescribe joint regulations that ensure that the Coast Guard provides prompt notification and reporting of marine casualty accidents to the NTSB.

(Sec. 16) Amends the federal criminal code to establish criminal penalties against persons who knowingly use NTSB's name, logo, initials, or seal without its approval.

Actions Timeline

- **Sep 29, 2010:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Sep 28, 2010:** Mr. Oberstar moved to suspend the rules and pass the bill, as amended.
- **Sep 28, 2010:** Considered under suspension of the rules. (consideration: CR H7096-7101)
- **Sep 28, 2010:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4714.
- **Sep 28, 2010:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H7096-7099)
- **Sep 28, 2010:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H7096-7099)
- **Sep 28, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 22, 2010:** Reported (Amended) by the Committee on Transportation. H. Rept. 111-613.
- **Sep 22, 2010:** Placed on the Union Calendar, Calendar No. 356.
- **Mar 3, 2010:** Referred to the Subcommittee on Aviation.
- **Mar 3, 2010:** Subcommittee on Aviation Discharged.
- **Mar 3, 2010:** Committee Consideration and Mark-up Session Held.
- **Mar 3, 2010:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 2, 2010:** Introduced in House
- **Mar 2, 2010:** Referred to the House Committee on Transportation and Infrastructure.