

S. 4073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROBERT SILVEY DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC.

(a) DESIGNATION.—The outpatient clinic of the Department of Veterans Affairs located in Farmington, Missouri, shall be known and designated as the “Robert Silvey Department of Veterans Affairs Outpatient Clinic”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Robert Silvey Department of Veterans Affairs Outpatient Clinic”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. BROWN) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. BROWN of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 4073 would rename the outpatient clinic of the Department of Veterans Affairs located in Farmington, Missouri as the “Robert Silvey Department of Veterans Affairs Outpatient Clinic.”

Robert Silvey, a decorated veteran of World War II, served as a member of the famed 82nd Airborne Division and was among a group of troopers who parachuted into France the night before the invasion of Normandy on D-Day. While fighting in France, Mr. Silvey was wounded three times and was subsequently awarded the Purple Heart. After returning home from World War II, Mr. Silvey had been active in various service organizations in the Farmington area and was instrumental in advocating for the construction of this new outpatient clinic and has served as an active member in his community as well as in local veterans organizations. Naming this outpatient clinic for Mr. Silvey would be entirely appropriate.

I ask for the support of my colleagues in passing this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, we also support S. 4073, and I know the gentleman from Missouri will speak about Mr. Silvey and make sure we know why his service is so honored.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of South Carolina. Mr. Speaker, House bill H.R. 5994 has the full support of the Missouri delegation and the State veterans service organizations and is identical to the Senate language.

Mr. Speaker, at this time I would like to yield 3 minutes to the original sponsor of H.R. 5994, the gentlewoman from Missouri, Mrs. JO ANN EMERSON.

Mrs. EMERSON. Mr. Speaker, I first want to thank the chairman and ranking member for all of the help they have given us in ensuring that the new veterans clinic in Farmington, Mis-

souri can be named after the person who has advocated most vocally for it, and that is my good friend Bob Silvey.

You mentioned, Mr. Chairman, Mr. Silvey's service as part of the 82nd Airborne and going to the shores of France, actually parachuting in the night before the invasion of Normandy. But Bob has always been an incredible leader in the community of Farmington. As a matter of fact, when Bob asks you to do something, you would never want to say “no,” number one. And number two, you always want to make sure that it gets done as quickly as possible because he will not allow you to say “no” and he will not allow anything not to happen. So when we originally built our smaller veterans facility in Farmington, Missouri, Bob knew the second day that we moved in that it wasn't going to be adequate enough. So he went about looking in the community for a larger space to put it on, one now that is actually adjacent to our VFW post, and it all began like that.

But I have to say that this is an important and incredible tribute to Bob Silvey, but it is also a commitment to all of our servicemen and service-women in Missouri and around the country. Like Bob, so many of them continue to be active members of their community, and they are working tirelessly, as Bob did, to improve the quality of veterans health care in Southern Missouri.

I was really excited in March of this year to break ground on the facility and then in August for us to move into it, and it is a state-of-the-art facility, and really it is only a larger facility but it is there in large part because Bob Silvey was relentless in pursuit of this.

Bob has been an active member of the VFW Post 5896 of Farmington, Missouri. He served as commander four times. He twice served as commander of the VFW Post in Ironton, a town south of Farmington, a couple of times. And I was very, very proud, and I know Bob was too, that the members of the VFW Post 5896 and the American Legion Post 416 in Farmington unanimously passed resolutions in support of naming the new Farmington veterans clinic after Bob Silvey.

In addition, I might want to add that members of our Missouri statehouse and the State senate wrote letters of support in naming this clinic after Bob; so this is an important tribute to him. And certainly this legislation that you all have enabled us to put on the floor today would allow the residents of Farmington, Missouri to honor one of their greatest World War II veterans and ensure that the name on the new clinic reflects the service of a great contributor to our American freedom and the quality of our veterans' lives here at home.

Bob, I know that you are watching this on C-SPAN right now, and I hope that you know how well loved you are. I hope that you know what a leader

you have been, and your commitment and your dedication to this country has been next to none. And this is a very real and fitting tribute to all that you have done to ensure that America remains the greatest country on the face of the earth.

So, Mr. Speaker, I thank very much Chairman BROWN and Ranking Member FILNER for this opportunity.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to address their remarks to the Chair.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlewoman, through the Chair, for her testimony to this decorated hero.

I would also point out we have another hero named Bob in the audience today. I would just like to recognize Bob Cover from the Legislative Counsel's Office, who has been 30 years writing this legislation and dealing with title 38. And we couldn't do anything without your expertise, Bob. We thank you for all your work. We wish you well in the future, and we appreciate your work to help veterans in this Nation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROWN of South Carolina. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. BROWN) that the House suspend the rules and pass the Senate bill, S. 4073.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROWN of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on S. 4073.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2006

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5076) to amend title 49, United States Code, to authorize appropriations for fiscal years 2007, 2008, and 2009, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “National Transportation Safety Board Reauthorization Act of 2006”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Reports.
- Sec. 3. Investigation services.
- Sec. 4. Expenses of DOT Inspector General.
- Sec. 5. Evaluation and audit of the National Transportation Safety Board.
- Sec. 6. Audit procedures.
- Sec. 7. Implementation of NTSB’s “Most Wanted Transportation Safety Improvements, 2006”.
- Sec. 8. Authorization of appropriations.
- Sec. 9. Technical corrections.
- Sec. 10. Safety review.
- Sec. 11. DOT Inspector General oversight and investigations related to Central Artery tunnel project.

SEC. 2. REPORTS.

(a) **ANNUAL REPORTS.**—

(1) **IN GENERAL.**—Section 1117 of title 49, United States Code, is amended—

(A) in paragraph (2) by striking “and” after the semicolon;

(B) in paragraph (3) by striking “State.” and inserting “State;”;

(C) by adding at the end the following:

“(4) a description of the activities and operations of the National Transportation Safety Board Academy during the prior calendar year;

“(5) a list of accidents, during the prior calendar year, that the Board was required to investigate under section 1131 but did not investigate and an explanation of why they were not investigated; and

“(6) a list of ongoing investigations that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such investigation.”

(2) **UTILIZATION PLAN.**—

(A) **PLAN.**—Within 90 days after the date of enactment of this Act, the National Transportation Safety Board shall—

(i) develop a plan to achieve, to the maximum extent feasible, the self-sufficient operation of the National Transportation Safety Board Academy and utilize the Academy’s facilities and resources;

(ii) submit a draft of the plan to the Comptroller General for review and comment; and

(iii) submit a draft of the plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(B) **PLAN DEVELOPMENT CONSIDERATIONS.**—The Board shall—

(i) give consideration in developing the plan under subparagraph (A)(i) to other revenue-generating measures, including subleasing the facility to another entity; and

(ii) include in the plan a detailed financial statement that covers current Academy expenses and revenues and an analysis of the projected impact of the plan on the Academy’s expenses and revenues.

(C) **REPORT.**—Within 180 days after the date of enactment of this Act, the National Transportation Safety Board shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(i) an updated copy of the plan developed pursuant to subparagraph (A)(i);

(ii) any comments and recommendations made by the Comptroller General pursuant to the Government Accountability Office’s review of the draft plan; and

(iii) a response to the Comptroller General’s comments and recommendations, in-

cluding a description of any modifications made to the plan in response to those comments and recommendations.

(D) **IMPLEMENTATION.**—The plan developed pursuant to subparagraph (A)(i) shall be implemented within 2 years after the date of enactment of this Act.

(b) **DOT REPORT ON COMPLIANCE WITH RECOMMENDATIONS.**—Section 1135(d)(3) of title 49, United States Code, is amended to read as follows:

“(3) **COMPLIANCE REPORT WITH RECOMMENDATIONS.**—Within 90 days after the date on which the Secretary submits a report under this subsection, the Board shall review the Secretary’s report and transmit comments on the report to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives.”

SEC. 3. INVESTIGATION SERVICES.

(a) **IN GENERAL.**—Section 4(a) of the National Transportation Safety Board Reauthorization Act of 2003 (Public Law 108-168; 49 U.S.C. 1113 note) is amended by striking “From the date of enactment of this Act through September 30, 2006, the” and inserting “The”.

(b) **REPORT.**—Section 4(b) of such Act is amended—

(1) by striking “On February 1, 2006,” and inserting “On July 1 of each year, as part of the annual report required by section 1117 of title 49, United States Code.”; and

(2) in paragraph (1) by striking “for \$25,000 or more”.

SEC. 4. EXPENSES OF DOT INSPECTOR GENERAL.

Section 1137(d) of title 49, United States Code, is amended to read as follows:

“(d) **AUTHORIZATIONS OF APPROPRIATIONS.**—

“(1) **FUNDING.**—There are authorized to be appropriated to the Secretary of Transportation for use by the Inspector General of the Department of Transportation such sums as may be necessary to cover expenses associated with activities pursuant to the authority exercised under this section.

“(2) **REIMBURSABLE AGREEMENT.**—In the absence of an appropriation under this subsection for an expense referred to in paragraph (1), the Inspector General and the Board shall have a reimbursable agreement to cover such expense.”

SEC. 5. EVALUATION AND AUDIT OF THE NATIONAL TRANSPORTATION SAFETY BOARD.

(a) **IN GENERAL.**—Subchapter III of chapter 11 of title 49, United States Code, is amended by adding at the end the following:

“§ 1138. Evaluation and audit of National Transportation Safety Board

“(a) **IN GENERAL.**—To promote economy, efficiency, and effectiveness in the administration of the programs, operations, and activities of the National Transportation Safety Board, the Comptroller General of the United States shall evaluate and audit the programs and expenditures of the National Transportation Safety Board. Such evaluation and audit shall be conducted at least annually, but may be conducted as determined necessary by the Comptroller General or the appropriate congressional committees.

“(b) **RESPONSIBILITY OF COMPTROLLER GENERAL.**—The Comptroller General shall evaluate and audit Board programs, operations, and activities, including—

“(1) information management and security, including privacy protection of personally identifiable information;

“(2) resource management;

“(3) workforce development;

“(4) procurement and contracting planning, practices and policies;

“(5) the extent to which the Board follows leading practices in selected management areas; and

“(6) the extent to which the Board addresses management challenges in completing accident investigations.

“(c) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—For purposes of this section the term ‘appropriate congressional committees’ means the Committee on Commerce, Science and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.”

(b) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by inserting after the item relating to section 1137 the following:

“1138. Evaluation and audit of National Transportation Safety Board”.

SEC. 6. AUDIT PROCEDURES.

The National Transportation Safety Board, in consultation with the Inspector General of the Department of Transportation, shall continue to develop and implement comprehensive internal audit controls for its operations. The audit controls shall address, at a minimum, Board asset management systems, including systems for accounting management, debt collection, travel, and property and inventory management and control.

SEC. 7. IMPLEMENTATION OF NTSB’S “MOST WANTED TRANSPORTATION SAFETY IMPROVEMENTS, 2006”.

Within 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives explaining why the Federal Aviation Administration has not implemented the aviation recommendations in the “Most Wanted Transportation Safety Improvements, 2006” of the National Transportation Safety Board.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—Section 1118(a) of title 49, United States Code, is amended—

(1) by striking “and” after “2005.”; and

(2) by striking “2006.” and inserting “2006, \$81,594,000 for fiscal year 2007, and \$92,625,000 for fiscal year 2008.”

(b) **FEES, REFUNDS, AND REIMBURSEMENTS.**—

(1) **IN GENERAL.**—Section 1118(c) of such title is amended to read as follows:

“(c) **FEES, REFUNDS, AND REIMBURSEMENTS.**—

“(1) **IN GENERAL.**—The Board may impose and collect such fees, refunds, and reimbursements as it determines to be appropriate for services provided by or through the Board.

“(2) **RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.**—Notwithstanding section 3302 of title 31, any fee, refund, or reimbursement collected under this subsection—

“(A) shall be credited as offsetting collections to the account that finances the activities and services for which the fee is imposed or with which the refund or reimbursement is associated;

“(B) shall be available for expenditure only to pay the costs of activities and services for which the fee is imposed or with which the refund or reimbursement is associated; and

“(C) shall remain available until expended.

“(3) **REFUNDS.**—The Board may refund any fee paid by mistake or any amount paid in excess of that required.”

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect on October 1, 2005.

(c) **REPORT.**—Section 1118(d) of title 49, United States Code, is repealed.

SEC. 9. TECHNICAL CORRECTIONS.

(a) **FUNCTIONAL UNIT FOR MARINE INVESTIGATIONS.**—Section 1111(g) of title 49, United States Code, is amended by adding at the end the following:

“(5) marine.”.

(b) MARINE CASUALTY INVESTIGATIONS.—Section 1131(a)(1)(E) of such title is amended—

(1) by striking “on the navigable waters or territorial sea of the United States,” and inserting “on or under the navigable waters, internal waters, or the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988,”; and

(2) by inserting “(as defined in section 2101(46) of title 46)” after “vessel of the United States”.

(c) REFERENCE TO DEPARTMENTAL AUTHORITY.—Section 1131(c)(1) of such title is amended by inserting “or the Secretary of the department in which the Coast Guard is operating” after “Transportation”.

(d) APPOINTMENT OF STAFF.—Section 1111 of such title is amended—

(1) by striking paragraph (1) of subsection (e) and inserting the following:

“(1) appoint and supervise officers and employees, other than regular and full-time employees in the immediate offices of another member, necessary to carry out this chapter;”;

(2) by redesignating paragraphs (2) and (3) of subsection (e) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) of subsection (e) the following:

“(2) fix the pay of officers and employees necessary to carry out this chapter;”;

(4) by redesignating subsection (i) as subsection (j); and

(5) by inserting after subsection (h) the following:

“(i) BOARD MEMBER STAFF.—Each member of the Board shall select and supervise regular and full-time employees in his or her immediate office as long as any such employee has been approved for employment by the designated agency ethics official under the same guidelines that apply to all employees of the Board. Except for the Chairman, the appointment authority provided by this subsection is limited to the number of full-time equivalent positions, in addition to 1 senior professional staff at a level not to exceed the GS 15 level and 1 administrative staff, allocated to each member through the Board’s annual budget and allocation process.”.

(e) SPELLING CORRECTION.—Section 1113(a) of such title is amended in paragraphs (3) and (4) by striking “subpena” and inserting “subpoena”.

(f) BOARD REVIEW.—Section 1113(c) of such title is amended by inserting after the period at the end the following: “The Board shall develop and approve a process for the Board’s review and comment or approval of documents submitted to the President, Director of the Office of Management and Budget, or Congress under this subsection.”.

(g) INVESTIGATIVE OFFICERS.—Section 1113 of such title is amended by adding at the end the following:

“(h) INVESTIGATIVE OFFICERS.—The Board shall maintain at least 1 full-time employee in each State located more than 1,000 miles from the nearest Board regional office to provide initial investigative response to accidents the Board is empowered to investigate under this chapter that occur in that State.”.

SEC. 10. SAFETY REVIEW.

(a) SAFETY AREA ALTERNATIVES.—With regard to an environmental review of a project to improve runway safety areas on Runway 8/26 at Juneau International Airport, the Secretary of Transportation may only select as the preferred alternative the least expensive runway safety area alternative that meets the standards of the Federal Aviation

Administration and that maintains the length of the runway as of the date of enactment of this Act.

(b) COSTS TO BE CONSIDERED.—In determining what is the least expensive runway safety area for purposes of subsection (a), the Secretary shall consider, at a minimum, the initial development costs and life cycle costs of the project.

(c) SATISFACTION OF REQUIREMENT.—With respect to the project described in subsection (a), the requirements of section 303(c)(1) of title 49, United States Code, shall be considered to be satisfied by the selection of the least expensive safety area alternative.

SEC. 11. DOT INSPECTOR GENERAL OVERSIGHT AND INVESTIGATIONS RELATED TO CENTRAL ARTERY TUNNEL PROJECT.

(a) OVERSIGHT OF SAFETY REVIEW.—The Inspector General of the Department of Transportation shall provide objective and independent oversight of the activities performed by the Federal Highway Administration, the Massachusetts Executive Office of Transportation, and the Massachusetts Department of Transportation for the project-wide safety review initiated as a result of the July 10, 2006, accident in the Central Artery tunnel project in Boston, Massachusetts. The Inspector General shall ensure that such oversight is comprehensive, complete, and carried out in a rigorous manner.

(b) INVESTIGATIONS OF CRIMINAL AND FRAUDULENT ACTIVITIES.—In cooperation with the Attorney General of the United States and the Attorney General of the Commonwealth of Massachusetts, the Inspector General shall investigate criminal or fraudulent acts committed in the design, expenditure of funds, and construction of the Central Artery tunnel project.

(c) REPORTS TO CONGRESS.—The Inspector General shall submit to Congress periodically reports on the oversight and investigative activities conducted pursuant to this section, together with any recommendations and observations of the Inspector General. If the Inspector General identifies any safety issues of a time sensitive and critical nature in carrying out this section, the Inspector General shall promptly notify Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5076.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to rise this afternoon in very strong support of this timely and certainly needed legislation. This legislation is the NTSB’s, the National Transportation Safety Board’s, authorization legislation, and it is currently provided for under a continuing resolution. The NTSB is a small but very important part of the Federal Government, and it makes some very critical contributions to our Nation’s safety each year. The NTSB is charged with

investigating civil aviation accidents and significant transportation accidents in other surface modes, including railroad, highway, marine, and pipeline accidents.

In addition, the NTSB assists the victims of aviation accidents, and where resources allow, Mr. Speaker, the NTSB also provides family assistance for accidents in other transportation modes.

As a member of the House Transportation and Infrastructure Committee and chairman of the Aviation Subcommittee, I can tell Members that the NTSB has provided tremendous service to this Nation and also to the traveling public in all modes of transportation for many years.

In the United States the 3-year average commercial aviation accident rate is .017 accidents per 100,000 departures, which means that the accident rate is the equivalent of one fatal accident for every 15 million passenger-carrying flights, which is an absolutely amazing record by any standard. I believe this unprecedented aviation safety record is in part due to the outstanding work over the years by hundreds and hundreds of NTSB professionals as well as the Federal Aviation Administration and also our aviation industry. But even with this outstanding safety record in commercial air transportation, we must continue to work towards making the system even safer, especially as we see increases in demand and also increases in congestion and passengers.

Since its creation in 1967, the NTSB has investigated more than 124,000 aviation accidents and at least 10,000 accidents in other modes of transportation. As a result of these investigations, the board has issued almost 12,000 safety recommendations, and over 82 percent of those recommendations have been adopted. The NTSB also serves as the “court of appeals” for any airman, mechanic, or mariner who has a problem with certificate action when it is taken by either the FAA administrator or the U.S. Coast Guard commandant.

I would also like to point out that last year marked the board’s 15th anniversary of its “Most Wanted” list of transportation safety improvements. I believe this is a tool that has served the public very well. In fact, over the past 15 years, 85 percent of more than 260 recommendations that have been placed on the list have been accepted and also have been implemented.

H.R. 5076 provides for a 2-year reauthorization for both the fiscal years 2007 and 2008. This legislation would also provide for the hiring of critically needed transportation accident investigations positions. The board has determined through a human capital forecast which was conducted earlier this year that additional full-time employees are needed to effectively and efficiently meet the mission and support efforts that are expected of the board, and understanding our current

budget constraints, H.R. 5076 allows for slight increases in personnel to help address this important need.

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Finally, Mr. Speaker, H.R. 5076 provides for changes such as consolidating reporting requirements, clarifying that the board has jurisdiction to investigate major marine accidents occurring on bodies of water located entirely within the boundaries of a State. And also it directs the NTSB to develop and implement a plan to achieve the self-sufficient operation of the NTSB Academy.

Mr. Speaker, with those comments, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I thank the subcommittee chairman, Mr. MICA. I would like to thank Chairman YOUNG, Mr. OBERSTAR, Mr. MICA, for joining me in introducing H.R. 5076, the National Transportation Safety Board Reauthorization Act of 2006.

The NTSB makes safety recommendations to Federal, State and local government agencies and to the transportation industry regarding actions and recommendations that should be taken to prevent accidents and improve safety.

Since its inception in 1967, the NTSB has issued almost 12,000 safety recommendations in all modes of transportation. The regulatory and transportation communities have accepted over 82 percent of these recommendations.

This is significant, given the size of this agency: only 396 employees and 10 regional offices.

The NTSB's recommendations and its vigilance on safety issues result in improvements in the way we conduct the business of transportation in all modes of transportation.

Transportation accidents are increasingly complex, and the NTSB maintains the highly qualified technical staff and necessary tools to efficiently produce thorough and unbiased investigations and recommendations for the public and policymakers.

I am pleased the reauthorization bill before us today authorizes \$1.7 million more than the NTSB's current budget request for fiscal year 2007, which will allow for 11 more investigators to be hired by the agency.

To maintain its position as the preeminent transportation investigative agency, the NTSB must have the resources necessary to handle increasingly complex accident investigations, as well as to adequately train its staff.

Reauthorization is essential to ensuring this agency has the necessary resources to conduct thorough safety investigations, and I urge my colleagues to support H.R. 5076.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I am pleased to yield as much time as he may wish

to consume to the chairman of the full Transportation and Infrastructure Committee, the distinguished gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for the work he has done on this legislation, and the ranking member on the other side of the aisle.

This is a good piece of legislation. It should be passed. I urge my colleagues to support it. It has been fairly vetted, and I am confident that with the passage of this and on the President's desk, we will do the job to make sure that not only are the flying industry safe, but all other forms of transportation are safe.

Mr. Speaker, I would like to clarify the intent of several provisions that were added to H.R. 5076, as amended, since it was reported by the House Committee on Transportation and Infrastructure.

Section 5 of the bill as amended requires the General Accountability Office (GAO) to evaluate and audit the programs and expenditures of the National Transportation Safety Board (NTSB) at least annually.

This provision will provide greater oversight of the NTSB without risking any infringement on the Board's independence that could result from having the U.S. Department of Transportation (DOT) Inspector General perform this audit function.

When the NTSB was first established in 1967, it initially relied on DOT for funding and administrative support. In 1975, under the Independent Safety Board Act, all organizational ties to DOT were severed.

The NTSB serves as an independent "watchdog" over the DOT, as well as State transportation agencies, recommending actions these agencies should take to improve safety. Therefore, maintaining NTSB's strict independence from DOT is critically important to NTSB's mission.

Under H.R. 5076 as amended, the DOT Inspector General's current authority under 49 U.S.C. 1137 to review the financial management, property management, and business operations of the NTSB, including internal accounting and administrative control systems, is unchanged.

Section 4 of the bill clarifies how these functions of the Inspector General should be funded. Currently, the NTSB reimburses the Inspector General for the costs incurred by the Inspector General in carrying out 49 USC 1137. H.R. 5076 clarifies that an appropriation of funds directly to the Inspector General for these activities is preferable to a reimbursable agreement, but if such an appropriation is not available, then a reimbursable agreement should be used instead.

It is not Congress' intent that GAO and the DOT IG will in any way duplicate each others' work. Rather, Congress intends for GAO and the DOT IG to continue their current practice of coordinating their audit planning for the NTSB such that there is no duplication of effort between the two agencies as the GAO undertakes the specific responsibilities assigned by Congress under this bill.

Section 2(a)(1) of the bill requires the Board to submit to Congress a list of accidents the Board was required to investigate, as well as a list of ongoing investigations exceeding the time allotted by Board order. This reporting re-

quirement would not apply to accident types which the NTSB may voluntarily elect to investigate, but is not required to investigate, under current law, such as railroad grade-crossing or highway accidents.

Section 2(a)(2) of the bill requires NTSB to develop and implement a plan to achieve, to the maximum extent feasible, the self-sufficient operation of the NTSB Academy. This facility has in the past consumed too large a portion of NTSB's budget resources, to the detriment of the NTSB's core accident investigation mission. I encourage the NTSB to develop a plan to make better use of this facility and reduce the burden it imposes on the NTSB's budget.

Section 11 instructs the Inspector General of the U.S. Department of Transportation to conduct oversight of the reviews currently underway at the Federal Highway Administration and the Commonwealth of Massachusetts of the tragic July 10, 2006, fatal accident in the Central Artery tunnel project in Boston, Massachusetts. The section also instructs the Inspector General to investigate, in cooperation with the U.S. Attorney General and the Attorney General of the Commonwealth of Massachusetts, any criminal or fraudulent acts committed in the execution of the project. I do not intend for the Inspector General to duplicate the current reviews. The purpose of this section is to evaluate the reviews to ensure that the aforementioned public agency oversight underway of this past summer's accident is thorough and rigorous so the lessons learned will prevent future tragedies.

Mr. MICA. Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield 2 minutes to my friend and colleague from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, this is a very important agency of the Federal Government in terms of consumer health and safety: the National Transportation Safety Board. And one of the things for a number of years that has concerned me about the National Transportation Safety Board is they approach issues of public safety from a fairly pure standpoint in terms of what is needed to better protect the traveling public and to prevent loss of life. And unfortunately, when it gets over to the agencies of jurisdiction, particularly the FAA, they have put a value on your life. Now, I once asked an FAA individual, I said, so what do you think your life is worth? And the particular value at that time I think was around \$200,000 per life, or soul as they call it. I said, don't you think you are worth more than that? At that point we were arguing about moving seats further apart so people could access the overwing exits. And the airlines were complaining about the revenue that would be lost. It took, actually, 8 years after a tragic accident, with people stacked up like cord wood in Manchester, England, to get that rule passed here. The Brits did it in 6 months.

So often the NTSB recommends what they see as needed changes to protect safety, and all too often those things are ignored. They disappear in the black hole over there at the FAA. This bill will change that.

The most wanted transportation safety improvements, which are available and published on an annual basis by the NTSB in all modes of transportation, are now going to have to be responded to by the FAA. Within 90 days of the date of enactment of this bill, we will get a report which will explain why they have not implemented these most wanted regulations here to better protect the traveling public. This will be an improvement. It will now at least require meaningful response from the agency, and perhaps move us forward in better protecting life and safety.

Mr. MICA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. COSTELLO. I would ask the gentleman if he has other speakers.

Mr. MICA. No other speakers, but I would like to reserve the opportunity to close.

Mr. COSTELLO. Mr. Speaker, we have no further requests on our side, so I would yield back the balance of my time.

Mr. MICA. Mr. Speaker, I would like to also add, for the record, that beyond the NTSB, this particular piece of legislation also includes a provision requiring the Department of Transportation Inspector General to provide an independent oversight of the project-wide safety review of the central artery tunnel project in Boston, Massachusetts, otherwise known as the Big Dig. This safety review was initiated as a result of the July 10, 2006 accident that resulted in the tragic loss of life by a motorist there.

The bill also requires the Inspector General to investigate criminal or fraudulent acts committed in the design and construction of the project and report to Congress on its oversight of this project.

Because of the NTSB's broad jurisdiction over all modes of transportation, this bill required the coordinated efforts of many people. So, in conclusion, Mr. Speaker, first I want to thank Chairman YOUNG, who has done an incredible job leading the T&I Committee, I have had the honor to be one of his subcommittee chairs for the past 6 years; Ranking Member OBERSTAR, Aviation Subcommittee Ranking Member Mr. COSTELLO, and for all of his staff and their efforts on behalf of this legislation.

Then I also want to thank, this is probably our last piece of legislation, my last piece as chairman of the Aviation Subcommittee, a difficult task over some difficult 6 years now in America's history and the history of aviation in this country. But I want to personally thank our staff director Jim Coon, who has helped lead that effort; professional staffer Sharon Barkeloo; Holly Woodruff Lyons; Chris Brown; and our clerk, Jason Rosa; and two people who aren't with us, Mr. David Schaeffer, who was the staff director during 9/11 and some of the very trying times we experienced; and also Sharon Pinkerton, my chief legislative transportation counsel. They are no longer

with us. So I want to thank everyone for their work on this important piece of legislation.

This version of the bill currently before the House has been negotiated with our counterparts in the Senate to expedite its consideration in the other body in the hope that this important legislation can and will be enacted before the 109th Congress adjourns sine die later this week. To that end, I urge my colleagues to support H.R. 5076, as amended.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 5076, the National Transportation Safety Board Reauthorization Act of 2006.

This Agency's roots go back to 1926 when the Air Commerce Act vested the Department of Commerce with the authority to investigate aircraft accidents. During the 1966 consolidation of various transportation agencies into the Department of Transportation (DOT), the National Transportation Safety Board (NTSB) was created as an independent agency within DOT to investigate accidents in all transportation modes. In 1974, Congress further demonstrated its resolve to ensure that NTSB would retain its independence by re-establishing the Board as a totally separate entity, distinct from DOT.

Since its inception in 1967, the NTSB has investigated more than 124,000 aviation accidents and over 10,000 surface transportation accidents, making it the world's premier accident investigation agency. In the last six years alone, the NTSB has investigated, or caused to be investigated, over 11,000 aviation accidents, 205 highway accidents, 91 railroad accidents, 33 pipeline accidents, 38 marine accidents; and a total of 1129 safety recommendations have been issued. This is no small feat, given the size of this agency: only 396 employees in 10 regional offices.

While the NTSB gets perhaps its greatest visibility when there is an aviation tragedy, that should not overshadow the very significant and important work the agency performs in pipelines, maritime, rail, truck, and automotive transportation.

To maintain its position as the world's preeminent investigative agency, it is imperative that the NTSB has the resources necessary to handle increasingly complex accident investigations. The NTSB needs sufficient funding to sustain budget and personnel for both its headquarters operations as well as the Academy. Accordingly, this bill authorizes increased funding over the next two years: \$81.6 million in FY2007 and \$92.6 million in FY2008.

H.R. 5076 provides an extra \$1.7 million in FY2007 to hire an additional 11 investigators that the Agency needs to fulfill its critical mission. Moreover, the bill provides funding for an additional 20 full-time equivalent employees in 2008 to enable NTSB to meet its core mission of accident investigation.

The bill also clarifies that the Board has jurisdiction to investigate major marine casualties occurring on all bodies of water "on or under the navigable waters, internal waters, or the territorial sea of the United States, such as the *Ethan Allen* accident on Lake George, New York, that occurred on October 2, 2005, killing 20 passengers. Further, the bill ensures that each member of the Safety Board, not the Chairman, retains the authority to appoint employees on their own personal staff. The bill also requires the Government Accountability

Office to conduct an annual audit of the NTSB's programs and expenditures.

Finally, H.R. 5076 permits the agency to use funds that it collects as refunds or reimbursements associated with its direct mission costs even if the funds are collected in a subsequent fiscal year, as well as extends the expedited contracting procedures that were authorized in the Board's 2003 authorization.

Having a well-funded, well-trained NTSB workforce is of the utmost importance for the American traveling public, and I urge my colleagues to support passage of this bill.

Mr. MICA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 5076, as amended.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

"A Bill to amend title 49, United States Code, to authorize appropriations for fiscal years 2007 and 2008, and for other purposes".

A motion to reconsider was laid on the table.

PIPELINE INSPECTION, PROTECTION, ENFORCEMENT, AND SAFETY ACT OF 2006

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5782) to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5782

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006".

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) TABLE OF CONTENTS.—

- Sec. 1. Short title; amendment of title 49, United States Code; table of contents.
- Sec. 2. Pipeline safety and damage prevention.
- Sec. 3. Public education and awareness.
- Sec. 4. Low-stress pipelines.
- Sec. 5. Technical assistance grants.
- Sec. 6. Enforcement transparency.
- Sec. 7. Direct line sales.
- Sec. 8. Petroleum transportation capacity and regulatory adequacy study.
- Sec. 9. Distribution integrity management program rulemaking deadline.