



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

July 25, 2006

**S. 3679**

**National Transportation Safety Board Reauthorization Act of 2006**

*As ordered reported by the Senate Committee on Commerce, Science, and Transportation  
on July 19, 2006*

**SUMMARY**

The National Transportation Safety Board (NTSB) investigates every civil aviation accident and significant accidents involving other modes of transportation. Over the 2007-2008 period, S. 3679 would authorize the appropriation of \$164 million for NTSB activities. The bill also would authorize the appropriation of amounts necessary for the agency to maintain an emergency fund of \$4 million at all times. Finally, S. 3679 would authorize the appropriation of \$500,000 for Amtrak to develop a plan to assist passengers in rail accidents and would authorize the appropriation of amounts necessary for the Inspector General of the Department of Transportation (DOT) to provide services to the NTSB.

Assuming appropriation of amounts authorized by the bill and amounts necessary for DOT's Office of the Inspector General, CBO estimates that implementing S. 3679 would cost \$170 million over the 2007-2011 period. Enacting the bill would not affect direct spending or revenues.

S. 3679 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the costs to state, local, or tribal governments, if any, would be small and would not exceed the threshold established in UMRA (\$64 million in 2006, adjusted annually for inflation).

By requiring Amtrak to submit a plan addressing the needs of the families of passengers involved in fatal accidents to the Chairman of the National Transportation Safety Board, S. 3679 contains a private-sector mandate, as defined in UMRA. CBO estimates that the costs to comply with that mandate would not exceed the annual threshold established by UMRA for private-sector mandates (\$128 million in 2006, adjusted annually for inflation).

## ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 3679 is shown in the following table. The costs of this legislation fall within budget function 400 (transportation).

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	By Fiscal Year, in Millions of Dollars					
	2006	2007	2008	2009	2010	2011
<b>SPENDING SUBJECT TO APPROPRIATION</b>						
NTSB Spending Under Current Law <sup>a</sup>						
Budget Authority	75	0	0	0	0	0
Estimated Outlays	76	8	0	0	0	0
Proposed Changes						
Estimated Authorization Level <sup>a</sup>	0	84	85	1	1	1
Estimated Outlays	0	74	85	9	1	1
Spending Under S. 3679						
Estimated Authorization Level	75	84	85	1	1	1
Estimated Outlays	76	82	85	9	1	1

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a. In addition to NTSB, the bill would also authorize funding for both Amtrak and the Office of Inspector General of the Department of Transportation.

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## BASIS OF ESTIMATE

For this estimate, CBO assumes that S. 3679 will be enacted near the start of fiscal year 2007 and that the authorized amounts will be appropriated for each year. Estimates of spending are based on historical spending patterns for these programs.

### NTSB Spending

Over the 2007-2008 period, the bill would authorize the appropriation of \$164 million for the NTSB. Assuming the appropriation of that amount, CBO estimates that implementing this provision would cost \$164 million over the 2007-2011 period.

## **Emergency Fund**

Current law authorizes the appropriation of amounts necessary to maintain balances in the NTSB emergency fund of \$2 million. The emergency fund provides additional resources if the NTSB has insufficient funding to complete necessary investigations. S. 3679 would authorize the appropriation of amounts necessary to increase and maintain the fund at \$4 million. (The emergency fund currently has a balance of about \$2 million.) CBO estimates that implementing this provision would authorize an appropriation of \$2 million in 2007. NTSB does not use its emergency fund on a regular basis, and CBO does not estimate any outlays from the fund over the 2006-2011 period. Consequently, we estimate that the emergency fund would not require any additional appropriations to maintain the fund at \$4 million over the next five years.

## **Other Spending Subject to Appropriation**

S. 3679 would authorize the appropriation of \$500,000 for AMTRAK to develop a plan to assist passengers involved in rail accidents. Also, the bill would authorize amounts necessary for DOT's Office of the Inspector General to serve as the Inspector General of NTSB. Based on past reimbursable agreements between NTSB and the Office of the Inspector General, CBO estimates that the provision would cost \$5 million over the 2007-2011 period. That amount includes additional resources for the Inspector General to investigate the collapse of ceiling plates in Boston's central artery tunnel project on July 10, 2006, as authorized by the bill.

## **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

S. 3679 contains an intergovernmental mandate, as defined in UMRA, because section 6 would exempt Amtrak from certain liability in federal or state court for damages due to its release of a passenger list or passenger information pursuant to the plan submitted to the NTSB. Such an exemption would preempt state law. CBO estimates that any costs to state, local, or tribal governments would be small and would not exceed the threshold established in UMRA (\$64 million in 2006, adjusted annually for inflation).

By requiring Amtrak to submit a plan addressing the needs of the families of passengers involved in any rail passenger accident involving an Amtrak intercity train and resulting in a loss of life, S. 3679 contains a private-sector mandate as defined in UMRA. CBO estimates that the costs to comply with that mandate would not exceed the annual threshold established by UMRA for private-sector mandates (\$128 million in 2006, adjusted annually for inflation).

Under the bill, Amtrak would have to submit the plan to the National Transportation Safety Board, the Secretary of Transportation, and the Secretary of Homeland Security no later than six months after the bill's enactment that would be invoked in case of railway accident involving loss of life. As a part of the plan, and in the event of a fatal accident, Amtrak would be required, among other things, to provide a passenger list to federal authorities and a toll-free hotline for use by families of passengers. According to industry source, Amtrak has a contingency plan in place for responding to the needs of families of rail accident passengers which addresses most of the requirements contained in the bill. CBO estimates that the incremental cost of complying with the mandate would be nominal. The bill would authorize the appropriation of \$500,000 in fiscal year 2007 to the Secretary of Transportation for use of Amtrak to complete the required plan.

### **PREVIOUS ESTIMATES**

On April 24, 2006, CBO transmitted a cost estimate for H.R. 5076, the National Transportation Safety Board Amendments Act of 2006, as ordered reported by the House Committee on Transportation and Infrastructure on April 5, 2006. S. 3679 and H.R. 5076 are similar but would authorize different amounts of money. CBO's cost estimates reflect the different provisions in these bills.

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