

(B) any laboratory record documenting that the test is confirmed positive.

(2) Except as provided by paragraph (3) of this subsection, the Board shall maintain the confidentiality of, and exempt from disclosure under section 552(b)(3) of title 5—

(A) a laboratory record provided the Board under paragraph (1) of this subsection that reveals medical use of a drug allowed under applicable regulations; and

(B) medical information provided by the tested officer or employee related to the test or a review of the test.

(3) The Board may use a laboratory record made available under paragraph (1) of this subsection to develop an evidentiary record in an investigation of an accident or incident if—

(A) the fitness of the tested officer or employee is at issue in the investigation; and

(B) the use of that record is necessary to develop the evidentiary record.

(f) FOREIGN INVESTIGATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose records or information relating to its participation in foreign aircraft accident investigations; except that—

(A) the Board shall release records pertaining to such an investigation when the country conducting the investigation issues its final report or 2 years following the date of the accident, whichever occurs first; and

(B) the Board may disclose records and information when authorized to do so by the country conducting the investigation.

(2) SAFETY RECOMMENDATIONS.—Nothing in this subsection shall restrict the Board at any time from referring to foreign accident investigation information in making safety recommendations.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 749; Pub. L. 104–291, title I, §§102, 103, Oct. 11, 1996, 110 Stat. 3452; Pub. L. 106–424, §§3(b)(2), 5(a), (b), Nov. 1, 2000, 114 Stat. 1884, 1885.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1114(a)	49 App.:1905(a).	Jan. 3, 1975, Pub. L. 93–633, §306(a), (b), 88 Stat. 2172; Oct. 14, 1982, Pub. L. 97–309, §2, 96 Stat. 1453.
1114(b)	49 App.:1905(b).	Jan. 3, 1975, Pub. L. 93–633, 88 Stat. 2156, §306(c); added Oct. 14, 1982, Pub. L. 97–309, §2, 96 Stat. 1453; re-stated Nov. 28, 1990, Pub. L. 101–641, §4, 104 Stat. 4654.
1114(c)	49 App.:1905(c).	
1114(d)(1)	49 App.:1903(b) (11)(A).	Jan. 3, 1975, Pub. L. 93–633, 88 Stat. 2156, §304(b)(11); added Nov. 28, 1990, Pub. L. 101–641, §6, 104 Stat. 4656.
1114(d)(2)	49 App.:1903(b) (11)(B).	
1114(d)(3)	49 App.:1903(b) (11)(C).	

In subsection (a), the words “record, information, or investigation” are substituted for “communication, document, investigation, or other report, or information” to eliminate unnecessary words. The words “of the United States” are added for clarity.

In subsection (c)(1), before clause (A), the words “Notwithstanding any other provision of law” are omitted as surplus. The word “relevant” is substituted for “relevant and pertinent” to eliminate unnecessary words.

In subsection (d), the words “officer or employee” are substituted for “employee” for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (d)(2), before clause (A), the words “maintain the confidentiality of” are substituted for “maintain in confidence” for consistency in the revised title and with other titles of the Code. In clause (A), the words “of a confirmed and verified toxicological test” are omitted as unnecessary because of the restatement of the source provisions in paragraph (1) of this subsection.

In subsection (d)(3), the words “laboratory record made available under paragraph (1) of this subsection” are substituted for “such a laboratory record” for clarity.

REFERENCES IN TEXT

Section 503(e) of the Supplemental Appropriations Act, 1987, referred to in subsec. (e)(1), is section 503(e) of Pub. L. 100–71, which is set out as a note under section 7301 of Title 5, Government Organization and Employees.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106–424, §§3(b)(2), 5(b)(2), designated existing provisions as par. (1), substituted “(d), and (f)” for “and (e)” in first sentence, and added par. (2).

Subsec. (c). Pub. L. 106–424, §5(a)(1), struck out “Voice” after “Cockpit” in heading.

Subsec. (c)(1). Pub. L. 106–424, §5(a)(2), (3), substituted “cockpit voice or video recorder” for “cockpit voice recorder” in first sentence and inserted “or any written depiction of visual information” after “transcript” in second sentence.

Subsec. (c)(2). Pub. L. 106–424, §5(a)(2), substituted “cockpit voice or video recorder” for “cockpit voice recorder”.

Subsec. (d). Pub. L. 106–424, §5(b)(1)(B), which directed the addition of subsec. (d) after subsec. (e), was executed by adding subsec. (d) before subsec. (e) to reflect the probable intent of Congress. Former subsec. (d) redesignated (e).

Subsecs. (e), (f). Pub. L. 106–424, §5(b)(1)(A), redesignated subsecs. (d) and (e) as (e) and (f), respectively.

1996—Subsec. (a). Pub. L. 104–291, §102(1), substituted “(b), (c), and (e)” for “(b) and (c)”.

Subsec. (b)(3). Pub. L. 104–291, §103, added par. (3).

Subsec. (e). Pub. L. 104–291, §102(2), added subsec. (e).

§ 1115. Training

(a) DEFINITION.—In this section, “Institute” means the Transportation Safety Institute of the Department of Transportation and any successor organization of the Institute.

(b) USE OF INSTITUTE SERVICES.—The National Transportation Safety Board may use, on a reimbursable basis, the services of the Institute. The Secretary of Transportation shall make the Institute available to—

(1) the Board for safety training of employees of the Board in carrying out their duties and powers; and

(2) other safety personnel of the United States Government, State and local governments, governments of foreign countries, interstate authorities, and private organizations the Board designates in consultation with the Secretary.

(c) FEES.—(1) Training at the Institute for safety personnel (except employees of the Gov-

ernment) shall be provided at a reasonable fee established periodically by the Board in consultation with the Secretary. The fee shall be paid directly to the Secretary, and the Secretary shall deposit the fee in the Treasury. The amount of the fee—

(A) shall be credited to the appropriate appropriation (subject to the requirements of any annual appropriation); and

(B) is an offset against any annual reimbursement agreement between the Board and the Secretary to cover all reasonable costs of providing training under this subsection that the Secretary incurs in operating the Institute.

(2) The Board shall maintain an annual record of offsets under paragraph (1)(B) of this subsection.

(d) TRAINING OF BOARD EMPLOYEES AND OTHERS.—The Board may conduct training of its employees in those subjects necessary for the proper performance of accident investigation. The Board may also authorize attendance at courses given under this subsection by other government personnel, personnel of foreign governments, and personnel from industry or otherwise who have a requirement for accident investigation training. The Board may require non-Board personnel to reimburse some or all of the training costs, and amounts so reimbursed shall be credited to the appropriation of the Board as offsetting collections.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 750; Pub. L. 104-291, title I, §104, Oct. 11, 1996, 110 Stat. 3453; Pub. L. 106-424, §3(b)(3), Nov. 1, 2000, 114 Stat. 1884.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1115(a)	(no source).	
1115(b)	49 App.:1903(b)(10) (1st, 2d sentences).	Jan. 3, 1975, Pub. L. 93-633, §304(b)(10), 88 Stat. 2156; added July 19, 1988, Pub. L. 100-372, §4, 102 Stat. 876.
1115(c)	49 App.:1903(b)(10) (3d-last sentences).	

In subsections (b) and (c), the words “or successor organization” are omitted as unnecessary because of subsection (a) of this section.

In subsection (b), before clause (1), the words “(established for the purpose of developing courses and conducting training in safety and security for all modes of transportation)” are omitted as surplus. In clause (1), the words “carrying out their duties and powers” are substituted for “in the performance of all of their authorized functions” for consistency in the revised title and with other titles of the United States Code. In clause (2), the words “of the United States Government, State and local governments, governments of foreign countries, interstate authorities, and private organizations” are substituted for “of Federal, interstate, State, local, and foreign governments and non-governmental organizations” for clarity and consistency in the revised title and with other titles of the Code.

In subsection (c)(1), before clause (A), the words “the Secretary shall deposit the fee in the Treasury” are added for clarity. In clause (B), the words “direct and indirect” are omitted as surplus. The word “administration” is omitted as being included in “operating”. The text of 49 App.:1903(b)(10) (last sentence) is omitted because 5:ch. 41 applies to the National Transportation Safety Board by its own terms.

AMENDMENTS

2000—Subsec. (d). Pub. L. 106-424 substituted “of the Board” for “of the ‘National Transportation Safety Board, Salaries and Expenses’”.

1996—Subsec. (d). Pub. L. 104-291 added subsec. (d).

§ 1116. Reports and studies

(a) PERIODIC REPORTS.—The National Transportation Safety Board shall report periodically to Congress, departments, agencies, and instrumentalities of the United States Government and State and local governmental authorities concerned with transportation safety, and other interested persons. The report shall—

(1) advocate meaningful responses to reduce the likelihood of transportation accidents similar to those investigated by the Board; and

(2) propose corrective action to make the transportation of individuals as safe and free from risk of injury as possible, including action to minimize personal injuries that occur in transportation accidents.

(b) STUDIES, INVESTIGATIONS, AND OTHER REPORTS.—The Board also shall—

(1) carry out special studies and investigations about transportation safety, including avoiding personal injury;

(2) examine techniques and methods of accident investigation and periodically publish recommended procedures for accident investigations;

(3) prescribe requirements for persons reporting accidents and aviation incidents that—

(A) may be investigated by the Board under this chapter; or

(B) involve public aircraft (except aircraft of the armed forces and the intelligence agencies);

(4) evaluate, examine the effectiveness of, and publish the findings of the Board about the transportation safety consciousness of other departments, agencies, and instrumentalities of the Government and their effectiveness in preventing accidents; and

(5) evaluate the adequacy of safeguards and procedures for the transportation of hazardous material and the performance of other departments, agencies, and instrumentalities of the Government responsible for the safe transportation of that material.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 751.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1116(a)	49 App.:1441(a)(3), (5) (related to reducing accidents). 49 App.:1655(c)(1).	Aug. 23, 1958, Pub. L. 85-726, §701(a)(3), (5), 72 Stat. 781.
	49 App.:1655(d) (1st sentence).	Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.
	49 App.:1903(a)(1)(A), (3).	Oct. 15, 1966, Pub. L. 89-670, §6(d) (1st sentence), 80 Stat. 938.
		Jan. 3, 1975, Pub. L. 93-633, §304(a)(1)(A), (3)-(5), (7), (8), 88 Stat. 2168, 2169.
1116(b)(1)	49 App.:1441(a)(5) (related to studies). 49 App.:1655(d) (1st sentence).	