



AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. 2202

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____ to the Committee Amendment

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.**
4

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

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

- Sec. 1. Short title; table of contents; references.
- Sec. 2. Definitions.
- Sec. 3. Authorization of appropriations.
- Sec. 4. Still images.

- Sec. 5. Information sharing.
- Sec. 6. Electronic records.
- Sec. 7. Report on Most Wanted List methodology.
- Sec. 8. Methodology sections.
- Sec. 9. Multi-modal accident database management system.
- Sec. 10. Addressing the needs of families of individuals involved in accidents.
- Sec. 11. Government Accountability Office report on investigation launch decision-making processes.
- Sec. 12. Periodic review of safety recommendations.
- Sec. 13. General organization.
- Sec. 14. Technical and conforming amendments.

1 (c) REFERENCES TO TITLE 49, UNITED STATES
2 CODE.—Except as otherwise expressly provided, wherever
3 in this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of title 49, United States Code.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) BOARD.—The term “Board” means the Na-
10 tional Transportation Safety Board.

11 (2) CHAIRMAN.—The term “Chairman” means
12 the Chairman of the National Transportation Safety
13 Board.

14 (3) MOST WANTED LIST.—The term “Most
15 Wanted List” means the Board publication entitled
16 “Most Wanted List”.

17 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 1118(a) is amended to read as follows:

19 “(a) IN GENERAL.—There are authorized to be ap-
20 propriated for the purposes of this chapter—

- 1 “(1) \$111,400,000 for fiscal year 2019;
2 “(2) \$112,400,000 for fiscal year 2020;
3 “(3) \$113,400,000 for fiscal year 2021;
4 “(4) \$114,400,000 for fiscal year 2022; and
5 “(5) \$115,400,000 for fiscal year 2023.”.

6 **SEC. 4. STILL IMAGES.**

7 (a) STILL IMAGES, VOICE RECORDERS, AND VIDEO
8 RECORDERS.—

9 (1) COCKPIT RECORDINGS AND TRANSCRIPTS.—

10 Section 1114(c) is amended—

11 (A) by redesignating paragraph (2) as
12 paragraph (3);

13 (B) in paragraph (3), as redesignated, by
14 inserting “REFERENCES TO INFORMATION IN
15 MAKING SAFETY RECOMMENDATIONS.—” before
16 “This”; and

17 (C) in paragraph (1)—

18 (i) in the first sentence, by striking
19 “The Board” and inserting “CONFIDEN-
20 TIALITY OF RECORDINGS.—Except as pro-
21 vided in paragraph (2), the Board”; and

22 (ii) by amending the second sentence
23 to read as follows:

24 “(2) EXCEPTION.—Subject to subsections (b)
25 and (g), the Board shall make public any part of a

1 transcript, any written depiction of visual informa-
2 tion obtained from a video recorder, or any still
3 image obtained from a video recorder the Board de-
4 cides is relevant to the accident or incident—

5 “(A) if the Board holds a public hearing
6 on the accident or incident, at the time of the
7 hearing; or

8 “(B) if the Board does not hold a public
9 hearing, at the time a majority of the other fac-
10 tual reports on the accident or incident are
11 placed in the public docket.”

12 (2) SURFACE VEHICLE RECORDINGS AND TRAN-
13 SCRIPTS.—Section 1114(d) is amended—

14 (A) by redesignating paragraph (2) as
15 paragraph (3); and

16 (B) in paragraph (1)—

17 (i) in the first sentence, by striking
18 “The Board” and inserting “Except as
19 provided in paragraph (2), the Board”;
20 and

21 (ii) by amending the second sentence
22 to read as follows:

23 “(2) EXCEPTION.—Subject to subsections (b)
24 and (g), the Board shall make public any part of a
25 transcript, any written depiction of visual informa-

1 tion obtained from a video recorder, or any still
2 image obtained from a video recorder the Board de-
3 cides is relevant to the accident—

4 “(A) if the Board holds a public hearing
5 on the accident, at the time of the hearing; or

6 “(B) if the Board does not hold a public
7 hearing, at the time a majority of the other fac-
8 tual reports on the accident are placed in the
9 public docket.”.

10 (3) PRIVACY PROTECTIONS.—Section 1114 is
11 amended by adding at the end the following:

12 “(g) PRIVACY PROTECTIONS.—Before making public
13 any still image obtained from a video recorder under sub-
14 section (c)(2) or subsection (d)(2), the Board shall take
15 such action as appropriate to protect from public disclo-
16 sure any information that readily identifies an individual,
17 including a decedent.”.

18 (b) COCKPIT AND SURFACE VEHICLE RECORDINGS
19 AND TRANSCRIPTS.—Section 1154(a) is amended—

20 (1) in the heading, by striking “TRANSCRIPTS
21 AND RECORDINGS” and inserting “IN GENERAL”;

22 (2) in paragraph (1)—

23 (A) by redesignating subparagraphs (A)
24 and (B) as subparagraphs (B) and (C), respec-
25 tively; and

1 (B) by inserting before subparagraph (B)
2 the following:

3 “(A) any still image that the National
4 Transportation Safety Board has not made
5 available to the public under section 1114(c) or
6 1114(d) of this title;”;

7 (3) in paragraph (3)—

8 (A) in the matter preceding subparagraph
9 (A), by striking “recorder recording” and in-
10 serting “recorder recording, including with re-
11 gard to a video recording any still image that
12 the National Transportation Safety Board has
13 not made available to the public under section
14 1114(e) or 1114(d) of this title,”; and

15 (B) in subparagraph (B), by striking “re-
16 corder recording” and inserting “recorder re-
17 cording, including with regard to a video re-
18 cording any still image that the National
19 Transportation Safety Board has not made
20 available to the public under section 1114(e) or
21 1114(d) of this title,”;

22 (4) in paragraph (4)—

23 (A) in subparagraph (A)—

24 (i) by inserting “a still image or” be-
25 fore “a part of a cockpit”; and

1 (ii) by striking “the part of the tran-
2 script or the recording” each place it ap-
3 pears and inserting “the still image, the
4 part of the transcript, or the recording”;

5 (B) in subparagraph (B)—

6 (i) by inserting “a still image or” be-
7 fore “a part of a cockpit”; and

8 (ii) by striking “the part of the tran-
9 script or the recording” each place it ap-
10 pears and inserting “the still image, the
11 part of the transcript, or the recording”;
12 and

13 (C) in paragraph (6)—

14 (i) by redesignating subparagraph (B)
15 as subparagraph (C); and

16 (ii) by inserting after subparagraph
17 (A) the following:

18 “(B) STILL IMAGE.—The term ‘still image’
19 means any still image obtained from a video re-
20 corder.”.

21 **SEC. 5. INFORMATION SHARING.**

22 (a) **CONFIDENTIAL INFORMATION.**—Section 1114(b)
23 is amended—

1 (1) in the heading, by striking “TRADE SE-
2 CRETS” and inserting “CERTAIN CONFIDENTIAL IN-
3 FORMATION”;

4 (2) in paragraph (1)—

5 (A) in the matter preceding subparagraph

6 (A)—

7 (i) by inserting “IN GENERAL.—” be-
8 fore “The Board”; and

9 (ii) by striking “information related to
10 a trade secret referred to in section 1905
11 of title 18” and inserting “ information,
12 including trade secrets, as described in sec-
13 tion 1905 of title 18”; and

14 (B) in subparagraph (D), by striking “to
15 the public to protect health and safety” and in-
16 serting “subject to paragraph (4), to the public
17 when the Board considers it necessary to pro-
18 tect health and safety”;

19 (3) in paragraph (2), by striking “Information”
20 and inserting “PRESERVATION OF CONFIDEN-
21 TIALITY.—Information”; and

22 (4) by adding at the end the following:

23 “(4) LIMITATION.—A disclosure under para-
24 graph (1)(D) may only be considered necessary to
25 protect health and safety if the Board is required

1 under this chapter to explain a finding, a cause or
2 probable cause, or a safety recommendation related
3 to an accident or incident investigated by the Board
4 and cannot reasonably fulfill its duties without such
5 disclosure.”.

6 (b) SHARING INFORMATION WITH OTHER FEDERAL
7 AGENCIES.—Section 1114, as amended, is further amend-
8 ed by adding at the end the following:

9 “(h) LIMITATION.—A department, agency, or instru-
10 mentality of the United States Government that receives
11 information from the Board under this section may not
12 publicly disclose any part of that information if the infor-
13 mation is exempted or prohibited from disclosure under
14 this chapter or any other law of the United States.”.

15 **SEC. 6. ELECTRONIC RECORDS.**

16 Section 1134(a)(2) is amended by inserting “includ-
17 ing an electronic record,” after “record,”.

18 **SEC. 7. REPORT ON MOST WANTED LIST METHODOLOGY.**

19 (a) IN GENERAL.—Not later than the date that the
20 first Most Wanted List to be published after the date of
21 enactment of this Act is published, the Chairman shall
22 publish on a publicly available Web site of the Board and
23 submit to the Committee on Commerce, Science, and
24 Transportation of the Senate and the Committee on
25 Transportation and Infrastructure of the House of Rep-

1 representatives a report on the methodology used to prioritize
2 and select recommendations to be included by the Board
3 in the Most Wanted List.

4 (b) ELEMENTS.—The report under subsection (a)
5 shall include—

6 (1) a detailed description of how the Board ac-
7 counts for the risk to safety addressed in each of its
8 recommendations, including the extent to which the
9 Board considers—

10 (A) the types of data and other informa-
11 tion, including studies and reports, used to
12 identify the amount and probability of risk to
13 safety;

14 (B) the reduction of the risk to safety, es-
15 timated over a period of time, by implementing
16 each recommendation;

17 (C) the practicality and feasibility of
18 achieving the reduction described in subpara-
19 graph (B); and

20 (D) any alternate means of reducing the
21 risk;

22 (2) a detailed description of the extent to which
23 the Board considers any prior, related investigation,
24 safety recommendation, or other safety action when
25 prioritizing and selecting recommendations; and

1 (3) a description of the extent of coordination
2 and consultation when prioritizing and selecting the
3 recommendations.

4 (c) CONSULTATION.—The Board shall consult with
5 the head of each relevant Federal department and agency
6 in developing the methodology described in subsection (a).

7 (d) GAO REPORT.—Not later than 15 months after
8 the date that the methodology report is published under
9 subsection (a), the Comptroller General of the United
10 States shall submit to the Committee on Commerce,
11 Science, and Transportation of the Senate and the Com-
12 mittee on Transportation and Infrastructure of the House
13 of Representatives a report examining the methodology
14 used by the Board to prioritize and select safety rec-
15 ommendations for inclusion in the Most Wanted List, in-
16 cluding the extent to which the Board—

17 (1) utilized best practices and rigorous analysis
18 to account for and prioritize the reduction of risk to
19 safety;

20 (2) accounted for and factored in practicality,
21 feasibility, and alternative means of reducing risk;
22 and

23 (3) coordinated and consulted when prioritizing
24 and selecting the recommendations.

1 **SEC. 8. METHODOLOGY SECTIONS.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of this Act, the Chairman shall include
4 with each investigative report in which a recommendation
5 is issued by the Board, a methodology section detailing
6 the process and information underlying the selection of
7 each recommendation.

8 (b) ELEMENTS.—Except as provided in subsection
9 (c), the methodology section under subsection (a) shall in-
10 clude, for each recommendation—

11 (1) a brief summary of the Board's collection
12 and analysis of the specific accident investigation in-
13 formation most relevant to the recommendation;

14 (2) a description of the Board's use of external
15 information, including studies, reports, and experts,
16 other than the findings of a specific accident inves-
17 tigation, to inform or support the recommendation,
18 including a brief summary of the specific safety ben-
19 efits and other effects identified by each study, re-
20 port, or expert;

21 (3) a brief summary of any alternative actions
22 considered, including the alternative of not issuing a
23 recommendation; and

24 (4) a brief summary of any examples of actions
25 taken by regulated entities prior to the publication
26 of the safety recommendation, to the extent such ac-

1 tions are known to the Board, that were consistent
2 with the recommendation.

3 (c) EXCEPTION.—Subsection (a) shall not apply if
4 the recommendation is only for a person to disseminate
5 information on—

6 (1) an existing agency best practices document;

7 or

8 (2) an existing regulatory requirement.

9 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion may be construed to require any change to a rec-
11 ommendation made by the Board prior to the date of en-
12 actment of this Act, unless the recommendation is a repeat
13 recommendation issued on or after the date of enactment
14 of this Act.

15 (e) SAVINGS CLAUSE.—Nothing in this section may
16 be construed to delay publication of the findings, cause,
17 or probable cause of a Board investigation.

18 **SEC. 9. MULTI-MODAL ACCIDENT DATABASE MANAGEMENT**
19 **SYSTEM.**

20 (a) ESTABLISHMENT.—Not later than 1 year after
21 the date of enactment of this Act, the Board shall estab-
22 lish and maintain a multi-modal accident database man-
23 agement system for Board investigators.

24 (b) PURPOSES.—The purposes of the system shall be
25 to support the Board in improving—

1 (1) the quality of accident data the Board
2 makes available to the public; and

3 (2) the selection of accidents for investigation
4 and allocation of limited resources.

5 (c) REQUIREMENTS.—The system shall—

6 (1) maintain a historical record of accidents
7 that are investigated by the Board; and

8 (2) be capable of the secure storage, retrieval,
9 and management of information associated with
10 such investigations.

11 **SEC. 10. ADDRESSING THE NEEDS OF FAMILIES OF INDIVIDUALS INVOLVED IN ACCIDENTS.**
12

13 (a) AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.—Section 41113 is
14 amended—
15

16 (1) in subsection (a), by striking “a major” and
17 inserting “any”; and

18 (2) in subsection (b)—

19 (A) in paragraph (9), by striking “(and
20 any other victim of the accident)” and inserting
21 “(and any other victim of the accident, includ-
22 ing any victim on the ground)”;

23 (B) in paragraph (16), by striking “major”
24 and inserting “any”; and

1 (C) in paragraph (17)(A), by striking “sig-
2 nificant” and inserting “any”.

3 (b) FOREIGN AIR CARRIERS PROVIDING FOREIGN
4 AIR TRANSPORTATION.—Section 41313 is amended—

5 (1) in subsection (b), by striking “a major” and
6 inserting “any”; and

7 (2) in subsection (c)—

8 (A) in paragraph (1), by striking “a sig-
9 nificant” and inserting “any”;

10 (B) in paragraph (2), by striking “a sig-
11 nificant” and inserting “any”;

12 (C) by amending paragraph (9) to read as
13 follows:

14 “(9) EQUAL TREATMENT OF PASSENGERS.—An
15 assurance that the treatment of the families of non-
16 revenue passengers (and any other victim of the ac-
17 cident, including any victim on the ground) will be
18 the same as the treatment of the families of revenue
19 passengers.”;

20 (D) in paragraph (16), by striking
21 “major” and inserting “any”; and

22 (E) in paragraph (17)(A), by striking “sig-
23 nificant” and inserting “any”.

1 (e) ASSISTANCE TO FAMILIES OF PASSENGERS IN-
2 VOLVED IN AIRCRAFT ACCIDENTS.—Section 1136 is
3 amended—

4 (1) in subsection (a), by striking “aircraft acci-
5 dent within the United States involving an air car-
6 rier or foreign air carrier and resulting in a major
7 loss of life” and inserting “aircraft accident involv-
8 ing an air carrier or foreign air carrier, resulting in
9 any loss of life, and for which the National Trans-
10 portation Safety Board will serve as the lead inves-
11 tigative agency”; and

12 (2) in subsection (h)—

13 (A) by amending paragraph (1) to read as
14 follows:

15 “(1) AIRCRAFT ACCIDENT.—The term ‘aircraft
16 accident’ means any aviation disaster, regardless of
17 its cause or suspected cause, for which the National
18 Transportation Safety Board is the lead investiga-
19 tive agency.”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A), by striking “;
22 and” and inserting a semicolon;

23 (ii) in subparagraph (B), by striking
24 the period at the end and inserting “;
25 and”;

1 (iii) by adding at the end the fol-
2 lowing:

3 “(C) any other person injured or killed in
4 the aircraft accident, as determined appropriate
5 by the Board.”.

6 (d) INFORMATION FOR FAMILIES OF INDIVIDUALS
7 INVOLVED IN ACCIDENTS.—

8 (1) IN GENERAL.—Chapter 11 is amended by
9 inserting after section 1139 the following:

10 **“§ 1140. Information for families of individuals in-**
11 **volved in accidents**

12 “In the course of an investigation of an accident de-
13 scribed in section 1131(a)(1), except an aircraft accident
14 described in section 1136 or a rail passenger accident de-
15 scribed in section 1139, the Board may, to the maximum
16 extent practicable, ensure that the families of individuals
17 involved in the accident, and other individuals the Board
18 deems appropriate—

19 “(1) are informed as to the roles, with respect
20 to the accident and the post-accident activities, of
21 the Board;

22 “(2) are briefed, prior to any public briefing,
23 about the accident, its causes, and any other find-
24 ings from the investigation; and

1 “(3) are individually informed of and allowed to
2 attend any public hearings and meetings of the
3 Board about the accident.”.

4 (2) TABLE OF CONTENTS.—The table of con-
5 tents of chapter 11 is amended by inserting after the
6 item relating to section 1139 the following:

“1140. Information for families of individuals involved in accidents.”.

7 **SEC. 11. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
8 **ON INVESTIGATION LAUNCH DECISION-MAK-**
9 **ING PROCESSES.**

10 Section 1138 is amended—

11 (1) in subsection (b)—

12 (A) by redesignating paragraphs (5) and
13 (6) as paragraphs (6) and (7), respectively; and

14 (B) by inserting after paragraph (4) the
15 following:

16 “(5) the process and procedures to select an ac-
17 cident to investigate;”; and

18 (2) in subsection (c), by inserting a comma
19 after “Science”.

20 **SEC. 12. PERIODIC REVIEW OF SAFETY RECOMMENDA-**
21 **TIONS.**

22 (a) REPORTS.—Section 1117 is amended—

23 (1) in the heading, by striking “**Annual re-**
24 **port**” and inserting “**Reports**”;

1 (2) by inserting “(a) IN GENERAL.—” before
2 “The National Transportation Safety Board shall”;
3 and

4 (3) by adding at the end the following:

5 “(b) RETROSPECTIVE REVIEW TO ENSURE UPDATED
6 AND EFFECTIVE SAFETY RECOMMENDATIONS.—

7 “(1) IN GENERAL.—Not later than June 1,
8 2019, and in response to public comments received
9 under paragraph (2), the Chairman shall complete a
10 comprehensive review of recommendations issued by
11 the Board that are classified as ‘open’ by the Board.

12 “(2) PUBLIC COMMENTS.—

13 “(A) IN GENERAL.—Before conducting a
14 review under paragraph (1), and at least every
15 5 years thereafter, the Chairman shall publish
16 in the Federal Register a request for public
17 comment on recommendations to be updated,
18 closed, or reissued.

19 “(B) RECOMMENDATIONS.—A request for
20 public comment under subparagraph (A) shall
21 solicit—

22 “(i) recommendations to be updated,
23 closed, or reissued, including a reference to
24 the applicable recommendation number;

1 “(ii) justifications, including any sup-
2 porting information, for updating, closing,
3 or reissuing a recommendation; and

4 “(iii) if applicable, specific suggestions
5 for updating a recommendation.

6 “(C) PUBLIC COMMENT PERIOD.—The
7 Chairman shall provide 90 days for public com-
8 ment under this subsection.

9 “(3) CONTENTS.—A review under paragraph
10 (1) shall include for each recommendation under
11 paragraph (2)—

12 “(A) consideration of each justification
13 under paragraph (2)(B)(ii) and, if applicable,
14 each suggestion under clause (iii) of that para-
15 graph;

16 “(B) an assessment of whether the rec-
17 ommendation—

18 “(i) is outmoded, unclear, or unneces-
19 sary in light of—

20 “(I) changed circumstances;

21 “(II) more recently issued rec-
22 ommendations; or

23 “(III) the availability of new
24 technologies;

1 “(ii) is ineffective or insufficient for
2 achieving its objective; or

3 “(iii) should be reissued;

4 “(C) a determination, based on the assess-
5 ment under subparagraph (B), whether it is ap-
6 propriate to update, close, or reissue the rec-
7 ommendation; and

8 “(D) a justification for each determination
9 under subparagraph (C).

10 “(4) REPORT.—Not later than 180 days after
11 the date a review under paragraph (1) is complete,
12 the Chairman shall submit to the Committee on
13 Commerce, Science, and Transportation of the Sen-
14 ate and the Committee on Transportation and Infra-
15 structure of the House of Representatives a report
16 that includes—

17 “(A) the findings of the review under para-
18 graph (1);

19 “(B) each determination under paragraph
20 (3)(C) and justification under paragraph
21 (3)(D); and

22 “(C) if applicable, a schedule for updating,
23 closing, or reissuing a recommendation.”.

24 (b) SAVINGS CLAUSE.—Nothing in this section or the
25 amendments made by this section may be construed to

1 limit the authority of the Board to update, close, or reissue
2 a recommendation.

3 **SEC. 13. GENERAL ORGANIZATION.**

4 (a) **TERMS OF THE CHAIRMAN AND VICE CHAIR-**
5 **MAN.**—Section 1111(d) is amended by striking “2 years”
6 and inserting “3 years”.

7 (b) **NONPUBLIC COLLABORATIVE DISCUSSIONS.**—
8 Section 1111 is amended by adding at the end the fol-
9 lowing:

10 “(k) **OPEN MEETINGS.**—

11 “(1) **IN GENERAL.**—The Board shall be deemed
12 to be an agency for purposes of section 552b of title
13 5.

14 “(2) **NONPUBLIC COLLABORATIVE DISCUS-**
15 **SIONS.**—

16 “(A) **IN GENERAL.**—Notwithstanding sec-
17 tion 552b of title 5, a majority of the members
18 may hold a meeting that is not open to public
19 observation to discuss official agency business
20 if—

21 “(i) no formal or informal vote or
22 other official agency action is taken at the
23 meeting;

1 “(ii) each individual present at the
2 meeting is a member or an employee of the
3 Board; and

4 “(iii) the General Counsel of the
5 Board is present at the meeting.

6 “(B) DISCLOSURE OF NONPUBLIC COL-
7 LABORATIVE DISCUSSIONS.—Except as provided
8 under subparagraph (C), not later than 2 busi-
9 ness days after the conclusion of a meeting
10 under subparagraph (A), the Board shall make
11 available to the public, in a place easily acces-
12 sible to the public—

13 “(i) a list of the individuals present at
14 the meeting; and

15 “(ii) a summary of the matters dis-
16 cussed at the meeting, except for any mat-
17 ter the Board properly determines may be
18 withheld from the public under section
19 552b(c) of title 5.

20 “(C) SUMMARY.—If the Board properly
21 determines a matter may be withheld from the
22 public under section 552b(c) of title 5, the
23 Board shall provide a summary with as much
24 general information as possible on each matter
25 withheld from the public.

1 “(D) PRESERVATION OF OPEN MEETINGS
2 REQUIREMENTS FOR AGENCY ACTION.—Noth-
3 ing in this paragraph may be construed to limit
4 the applicability of section 552b of title 5 with
5 respect to a meeting of the members other than
6 that described in this paragraph.

7 “(E) STATUTORY CONSTRUCTION.—Noth-
8 ing in this paragraph may be construed—

9 “(i) to limit the applicability of sec-
10 tion 552b of title 5 with respect to any in-
11 formation which is proposed to be withheld
12 from the public under subparagraph
13 (B)(ii); or

14 “(ii) to authorize the Board to with-
15 hold from any individual any record that is
16 accessible to that individual under section
17 552a of title 5.”.

18 (c) INVESTIGATIVE OFFICERS.—Section 1113 is
19 amended by striking subsection (h).

20 (d) AUTHORITY TO ACQUIRE SMALL UNMANNED
21 AIRCRAFT SYSTEMS FOR INVESTIGATION PURPOSES.—
22 Section 1113(b)(1) is amended—

23 (1) in subparagraph (H) by striking “and” at
24 the end;

1 (2) in subparagraph (I) by striking the period
2 at the end and inserting “; and”; and

3 (3) by inserting at the end the following:

4 “(J) acquire, for investigation purposes
5 under this chapter, small unmanned aircraft
6 systems that weigh less than 55 pounds, not-
7 withstanding any other law, including regula-
8 tions and policies.”.

9 **SEC. 14. TECHNICAL AND CONFORMING AMENDMENTS.**

10 (a) **TABLE OF CONTENTS.**—The table of contents of
11 chapter 11 is amended in the item relating to section 1138
12 by striking “Board” and inserting “Board.”.

13 (b) **GENERAL AUTHORITY.**—Section 1131(a)(1)(A) is
14 amended by striking “a public aircraft as defined by sec-
15 tion 40102(a)(37) of this title” and inserting “a public
16 aircraft as defined by section 40102(a) of this title”.