



# Transportation Disaster Assistance Point Paper

## What is the NTSB?

The National Transportation Safety Board (NTSB) is an independent federal agency charged with investigating and determining the probable cause of all civil aviation accidents in the United States and selected accidents in rail, highway, marine, and pipeline operations. The NTSB has no authority to regulate the transportation industry, which is the responsibility of the Department of Transportation. Safety recommendations developed from NTSB investigations are aimed at preventing accidents from reoccurring and are issued to public and private organizations in a position to improve transportation safety.

## What is TDA?

The NTSB's Transportation Disaster Assistance Division (TDA) coordinates the resources of federal, state, and local agencies, transportation carriers, and the American Red Cross, in order to meet the needs of family members and survivors following a transportation accident. TDA also serves as the primary resource for investigative information for family members and survivors.

## What gives TDA its authority?

Three federal laws provide the legal mandates under which TDA operates:

- Aviation Disaster Family Assistance Act of 1996 (Public Law 104-264)
- Foreign Air Carrier Family Support Act of 1997 (Public Law 105-148)
- Rail Passenger Disaster Family Assistance Act of 2008 (Public Law 110-432)

These pieces of legislation and the associated Federal Family Assistance Plans for Aviation and Rail Passenger Disasters outline the responsibilities of the NTSB, the transportation carrier, the American Red Cross, and supporting federal agencies following an accident where the following criteria apply:

### Legislated Aviation Accidents

- Accidents in US or territories
- Major domestic and foreign air carriers (Part 121/129)
- Major loss of life

### Legislated Rail Accidents

- Accidents in US
- Interstate rail passenger carrier (Amtrak)
- Inter- and intrastate high speed rail passenger carriers
- Major loss of life
- Exceptions: subways and light/commuter, tourist, historic, scenic, or excursion rail carriers

## How are families assisted after an accident?

Federal, state, and local agencies, transportation carriers, and the American Red Cross work together with the guidance of TDA to ensure that the needs of family members and survivors are being addressed. Typical family assistance operations required under these pieces of legislation involve the following areas:

### Family Assistance Center

The Family Assistance Center (FAC) is a secure meeting place established by the transportation carrier for family members, survivors, and friends to obtain services and receive information about the investigation. The FAC remains open throughout the on-scene work. Personnel from TDA, the American Red Cross, the transportation carrier, and federal, state, and local agencies staff the FAC.

### Daily Family Briefings

While on-scene, TDA coordinates briefings for family members, survivors, and friends at the FAC. These family briefings provide information on the progress of the investigation, local agency responsibilities (such as victim identification), and available family assistance services. Following the on-scene phase, TDA maintains contact with families and survivors throughout the NTSB investigative process.

### Personal Effects

The collection, processing, and return of personal effects are the responsibility of the transportation carrier and the local medical examiner or coroner.

### Crisis Counseling Services

Professional crisis counseling services are available through the American Red Cross to family members, survivors, and friends while on-scene at the FAC. Upon their return home, short-term crisis intervention services are also available through local chapters of the American Red Cross with coordination by TDA.

### Victim Recovery and Identification

Victim recovery, identification, and death certification are the responsibility of the local medical examiner or coroner. TDA can coordinate technical expertise to assist in this process.

### Assisting Families of Foreign Citizens

The Department of State secures translation services, provides official notification to foreign governments, assists with visa services, and facilitates consular services.

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## What are TDA's responsibilities in the legislation?

- Coordination and oversight of family assistance operations.
- Coordination with federal, state, and local agencies.
- Ensure provision of disaster mental health services in coordination with the American Red Cross.
- Facilitate victim recovery and identification processes (working with local medical examiner or coroner).
- Provision of information to families about NTSB investigations when information is publically released:
  - On-scene factual information
  - Investigative milestones
  - Investigative hearings and Board meetings

### Other Legislated Requirements

- No person/state/political subdivision may impede the NTSB or the American Red Cross from providing support to family members, or allowing them to have contact with one another.
- No unsolicited communication to family members by an attorney (or their representatives) or a potential party to litigation for 45 days following the accident.

## What about other transportation accidents?

Although there is no legal requirement for TDA to respond to accidents not covered under these pieces of legislation, TDA can perform, in a limited capacity, similar coordination and information exchange tasks with federal, state, and local agencies and family members. These efforts are conducted only when the NTSB investigates the accident. This work can be done on-scene or via phone and email.

### Examples of Non-Legislated Accidents

- Aviation: general aviation, business, emergency medical services, sightseeing.
- Selected modal accidents when investigated by the NTSB
  - Highway: motorcoach, school bus, bridge collapse
  - Marine: ferries, fishing vessels, sightseeing vessels
  - Rail: subway, commuter, freight
  - Pipeline and hazardous materials

## Supporting Organizations and Federal Agency Resources

**Air/Rail Carrier:** Notifies family members of the accident; organizes the family assistance center; arranges for travel, lodging, and other logistics for family members traveling to the accident city; manages the recovery and return of personal effects; and assumes reasonable costs for the recovery, identification, and repatriation of fatalities.

**State, County, and Local Government Agencies:** Conducts life saving, fire/rescue, scene security, and medical examiner/coroner operations. TDA coordinates closely with critical state, county, and local authorities to ensure that family assistance needs are being addressed.

**Department of State (DOS):** Secures translation and communication services, provides official notification to foreign governments, assists with visa services, and facilitates consulate and customs services.

**Department of Health and Human Services, Assistant Secretary for Preparedness and Response, Disaster Mortuary Operational Response Team (DMORT):** Assists the local medical examiner or coroner by providing technical assistance and personnel to support the victim recovery and identification process.

**Federal Bureau of Investigation (FBI):** Provides several operational assets to assist both the NTSB investigation and the family assistance responsibilities, including the Disaster Squad and Evidence Response Teams.

**Department of Homeland Security, Federal Emergency Management Agency (FEMA):** Assists with emergency management-related issues, facilitates voice and data communication at the accident scene, and assists with public information dissemination.

**Department of Defense (DOD):** Assists the local medical examiner or coroner in the victim identification process with services from the Armed Forces Medical Examiner System and the Armed Forces DNA Identification Laboratory.

**American Red Cross:** Provides family care, crisis intervention, and spiritual care.

## Does TDA offer training?

With more than 15 years of experience and hundreds of on-scene accident responses, the TDA staff has developed targeted training for the transportation industry and federal, state, and local agencies involved in transportation disaster and family assistance response. Customized training is also available.

### TDA 301: Transportation Disaster Response - Family Assistance

Designed to provide the key concepts and operational aspects of family assistance in transportation disaster response, this course is instrumental for understanding and implementing an effective family assistance response.

### TDA 403: Mass Fatality Incidents for Medicolegal Professionals

Designed to address managing the medicolegal response to transportation-related mass fatality incidents, this course discusses strategies and essential concepts for an effective disaster victim recovery and identification operations.

### TDA 406: Managing Transportation Mass Fatality Incidents

Designed for emergency managers, law enforcement, and the medicolegal community, this course examines the core principles for managing the transition from first response and life safety operations into the decedent recovery and identification process.

For more information, go to <http://www.nts.gov/tda/er.html>  
or view the NTSB Training Center website at <http://www.nts.gov/trainingcenter>