



**National
Transportation
Safety Board**

Transportation Accident Family Assistance Legislation in the United States

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What is Family Assistance?



NTSB

Fundamental Concerns of Family Members

NOTIFICATION OF INVOLVEMENT

“Is my loved one involved?”

- Initial notification
- Immediate factual information

ACCESS TO RESOURCES AND INFORMATION

“How will I get information and resources?”

- Crisis counseling/disaster mental health
- Information regarding investigation
- Financial/logistical
- Legal rights

VICTIM ACCOUNTING

“Where is my loved one?”

- Search, rescue, hospitalization
- Search & recovery of fatalities
- Identification, death certification, and return of remains

PERSONAL EFFECTS

“Where are their belongings?”

- Recovery, processing and return of personal effects
- Associated and unassociated



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A Historical Perspective



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Catalysts for Change

- Pan Am Flight 103 (December 1988)
 - Aviation Security Improvement Act (1990)
- Air carriers provide manifest to U.S. Department of State (DOS)
- DOS promptly notifies families of victims
- DOS assigns a family liaison for each U.S. citizen
- Toll-free telephone number reserved for use by families
- Provide arrangements for repatriations of remains and disposition of personal effects
- Training in disaster management for all consular officers



Catalysts for Change

- USAir Flight 427 (September 1994)
 - American Eagle Flight 4184 (October 1994)
 - ValuJet Flight 592 (May 1996)
 - TWA Flight 800 (July 1996)
- No lead agency for family assistance response
 - Lack of interagency coordination to effectively & efficiently recover & identify victims
 - Haphazard personal effects management practices
 - Haphazard engagement with families
 - Families not consulted about memorial & other key aspects of the response



NTSB's Commitment to Change...

"The family members of that accident [ValuJet 592] and almost every tragic transportation accident I have mentioned are U.S. taxpayers and our fellow human beings. They pay my salary, and they pay for the investigative work of the NTSB. Within reason and within the resources available to us, I believe we must be responsive. It is the right thing to do.

As I attended their memorial services and met with their families, I recommitted myself to ensuring that all family members of these tragic events are treated with respect, with compassion, and with truth.

*Jim Hall, NTSB Chairman
Testimony before the U.S. House Subcommittee on Aviation
June 19, 1996*



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U.S. Transportation Accident Family Assistance Legislation & NTSB's Family Assistance Program



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U.S. Federal Transportation Accident Family Assistance Legislation

Aviation Disaster Family Assistance Act (1996 & 1997)

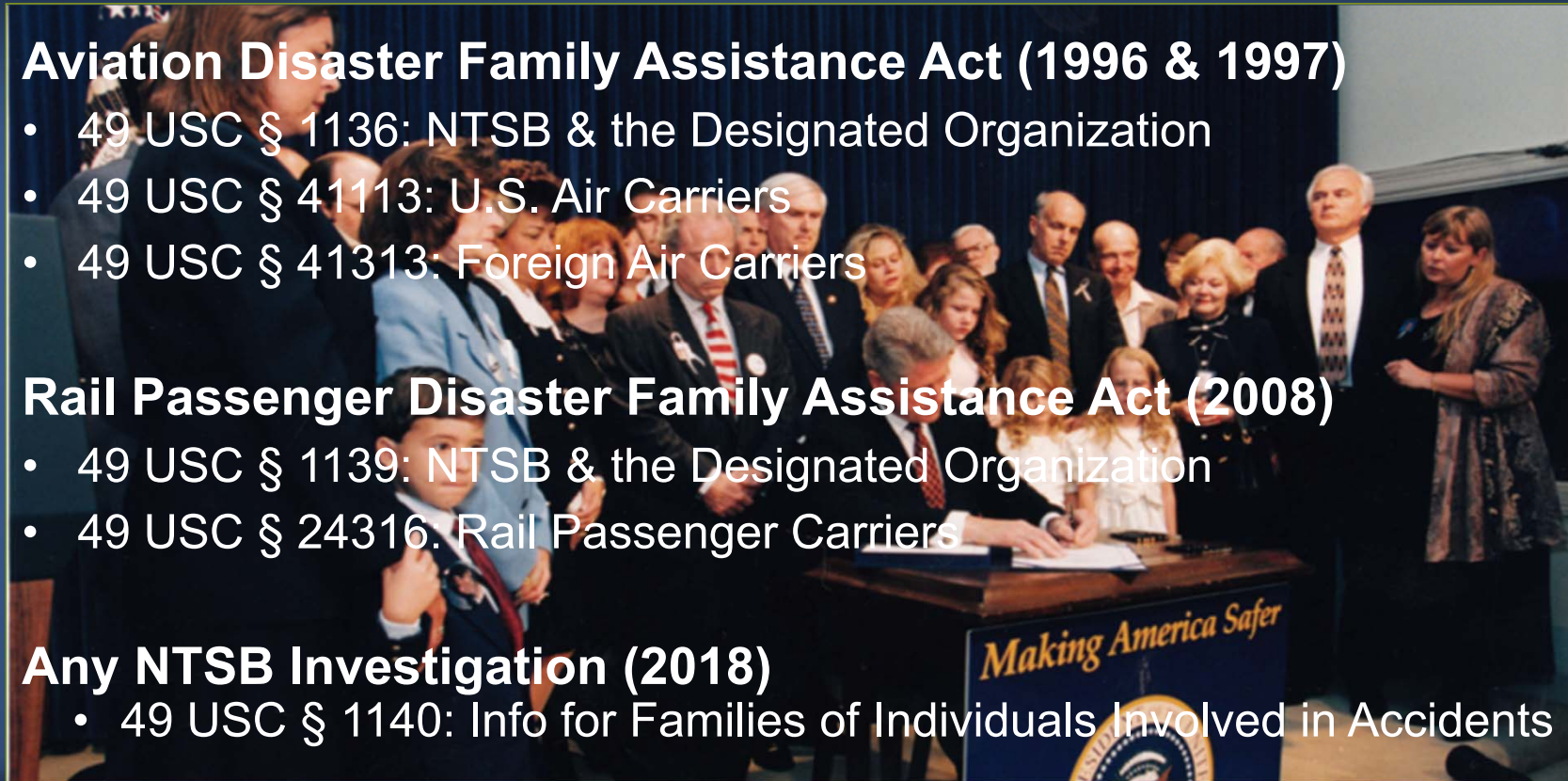
- 49 USC § 1136: NTSB & the Designated Organization
- 49 USC § 41113: U.S. Air Carriers
- 49 USC § 41313: Foreign Air Carriers

Rail Passenger Disaster Family Assistance Act (2008)

- 49 USC § 1139: NTSB & the Designated Organization
- 49 USC § 24316: Rail Passenger Carriers

Any NTSB Investigation (2018)

- 49 USC § 1140: Info for Families of Individuals Involved in Accidents



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NTSB as the Coordinating Agency

- Lead government agency responsible for conducting accident safety investigations
- Direct source of investigative information
- Trust and confidence fostered through transparency

“Family members need to hear the facts from the NTSB. No one else will do, because the NTSB is in charge of the accident investigation and the accident site...the family members need to hear from us first.”

Jim Hall, NTSB Chairman
Testimony before the U.S. House Subcommittee on Aviation
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Transportation
Disaster
Assistance
Division



Victim Services/
Disaster Mental Health



Government/Industry
Emergency
Management



Medicolegal
Operations



Hospitals/Healthcare

Legislated Responsibilities: NTSB



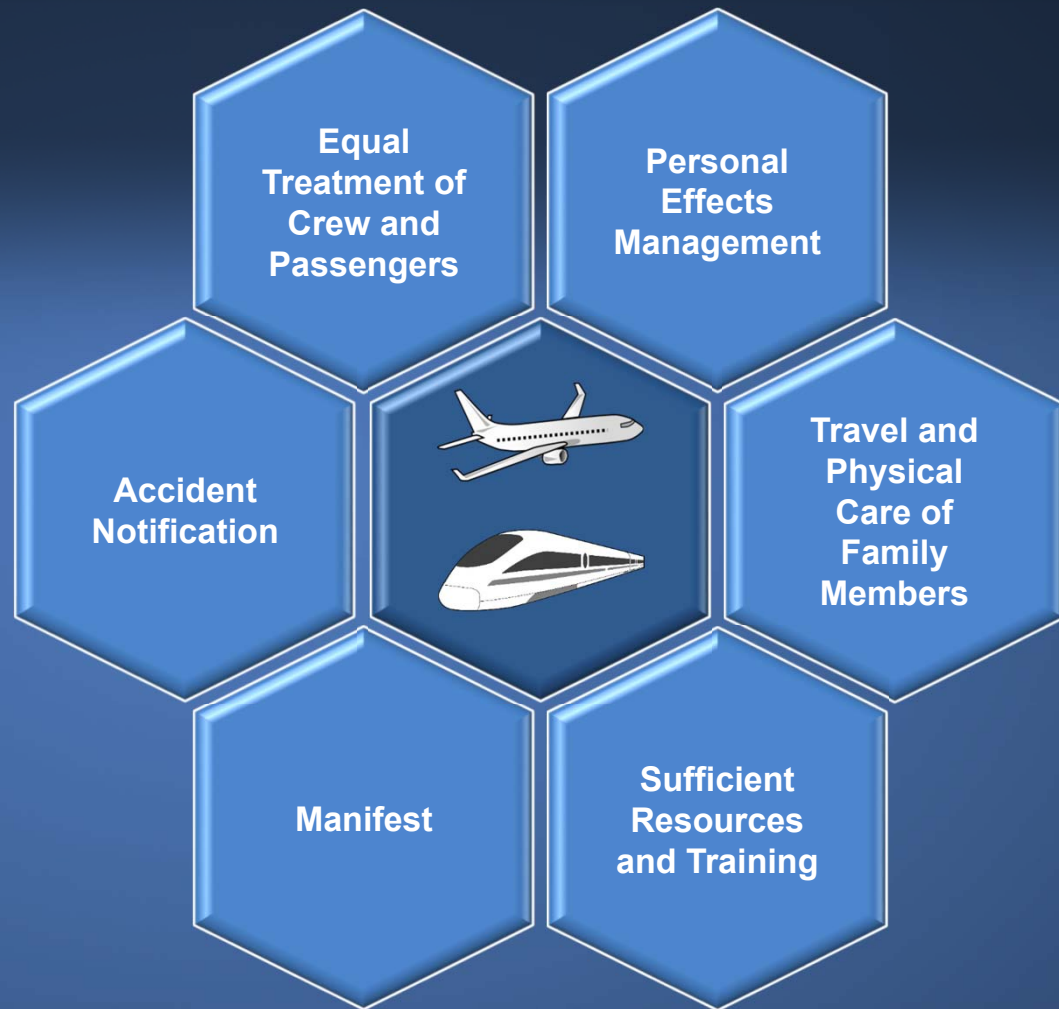
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Legislated Responsibilities: American Red Cross



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Legislated Responsibilities: Carrier



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Air Carrier's Failure to Meet Obligations

US Department of Transportation has enforcement authority

- Warning letter
- Civil penalties/fines
- Modification or suspension of air carrier's certificate
- No formal review or auditing of air carrier plans prior to accident

A failure to meet obligations represents a system failure

- Real-time discussions during on-scene operations between carrier, American Red Cross (ARC), and NTSB
- After Action Review with carrier and ARC organized by NTSB



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Successful Family Assistance Operations

- Collaborative approach
- Planning and coordination
- Involves every family assistance stakeholder

“Nothing will be accomplished unless government, industry, and helping services such as the American Red Cross work together.”

*Jim Hall, NTSB Chairman
Testimony before the U.S. House Subcommittee on Aviation
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Primary Partner Agencies

Air/Rail Passenger Carriers

- Family Assistance Teams
- Logistics



Local / State / Tribal

- Airport Authority
- Emergency Management Agencies
- First Responders
- Medical Examiner/Coroner
- Hospitals
- Other Support Agencies

American Red Cross

- Disaster Mental Health Services
- Spiritual Care
- Family Care



Department of Homeland Security (DHS)

- Communications
- FAC Security



Department of State (DOS)

- Assistance to U.S. Citizens Overseas
- Foreign Citizen & Government Interfacing



Federal Bureau of Investigation (FBI)

- Evidence & Wreckage Documentation
- Fingerprint ID Support
- Victim Assistance Support



Department of Defense (DOD)

- AM & PM Data Collection

Department of Health & Human Services (DHHS)

- AM & PM Data Collection
- Morgue Operations



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Contact Information

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Questions?



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