

104TH CONGRESS  
2D SESSION

# S. 2023

To provide for travelers' rights in air commerce, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 1996

Mr. REID introduced the following bill; which was read twice and referred to  
the Committee on Commerce, Science, and Transportation

---

## A BILL

To provide for travelers' rights in air commerce, and for  
other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; PURPOSES.**

4       (a) **SHORT TITLE.**—This Act may be cited as the  
5       “Travelers’ Rights Act of 1996”.

6       (b) **PURPOSES.**—The purposes of this Act are to en-  
7       sure—

8               (1) the access to information by travelers in air  
9       commerce concerning the safety and security of air  
10      travel; and

---

1           (2) the coordination of air carrier and govern-  
2           mental assistance to victims and survivors of victims  
3           of accidents in air commerce.

4 **SEC. 2. CONSUMER ACCESS TO INFORMATION.**

5           (a) IN GENERAL.—Chapter 447 of title 49, United  
6 States Code, is amended by adding at the end the follow-  
7 ing new section:

8 **“§ 44724. Air traveler safety program**

9           “(a) IN GENERAL.—

10           “(1) WRITTEN INFORMATION.—Not later than  
11 90 days after the date of enactment of this section,  
12 the Secretary of Transportation (hereafter in this  
13 section referred to as the ‘Secretary’) shall issue reg-  
14 ulations, for a period determined by the Secretary,  
15 that require each air carrier that provides interstate  
16 air transportation or foreign air transportation to  
17 provide written information upon request, to pas-  
18 sengers that purchase passage for interstate or for-  
19 eign air transportation concerning:

20           “(A) safety inspection reviews conducted  
21 by the Administrator of the Federal Aviation  
22 Administration on the aircraft of that air car-  
23 rier;

24           “(B) the safety ranking of that air carrier,  
25 as determined by the Administrator of the Fed-

1           eral Aviation Administration, in accordance  
2           with applicable law; and

3           “(C) the compliance of the members of the  
4           crew of the aircraft with any applicable certifi-  
5           cation requirements under this subtitle.

6           “(2) GUIDELINES.—The regulations issued by  
7           the Secretary under this subsection shall provide  
8           guidelines for air carriers relating to the provision of  
9           the information referred to in paragraph (1).

10          “(3) REQUEST FOR INFORMATION.—An air car-  
11          rier shall be required to provide to a passenger, on  
12          request, any information concerning the safety of  
13          aircraft and the competency of persons issued a cer-  
14          tificate under this subtitle for the operation of the  
15          aircraft that the Secretary, to the extent allowable  
16          by law, determines to be appropriate.

17          “(b) SUBMISSION OF PERFORMANCE REVIEW.—

18          “(1) IN GENERAL.—Not later than December  
19          31 of the calendar year in which this section is en-  
20          acted, and annually thereafter, the Secretary shall  
21          submit a report to the Congress that reviews the  
22          safety of air carriers that provide interstate or for-  
23          eign air transportation, including—

24                  “(A) the number of accidents and a de-  
25                  scription of such accidents of air carriers attrib-

1           utable to each air carrier that provides inter-  
2           state or foreign air transportation; and

3                   “(B) for the preceding year, the names of  
4           makers of aircraft that have been involved in an  
5           accident.

6                   “(2) AVAILABILITY OF INFORMATION.—The  
7           Secretary shall make the report under paragraph (1)  
8           available to—

9                           “(A) travel agencies and consultants for  
10           distribution to persons served by those agencies  
11           and consultants; and

12                           “(B) any other person or entity upon re-  
13           quest.

14                   “(e) VICTIMS’ RIGHTS PROGRAM.—

15                           “(1) IN GENERAL.—The National Transpor-  
16           tation Safety Board shall establish and administer a  
17           program for victims and survivors of aircraft acci-  
18           dents in air commerce. Under that program, the Na-  
19           tional Transportation Safety Board shall ensure that  
20           such victims and survivors receive, to the extent al-  
21           lowable by law, immediate and unrestricted access to  
22           information that is made available from—

23                           “(A) the air carrier involved in an accident  
24           in air commerce;

25                           “(B) the Federal Government; and

1           “(C) State governments and political sub-  
2           divisions thereof.

3           “(2) NATIONAL SECURITY INFORMATION.—  
4           Nothing in paragraph (1) may be construed to au-  
5           thorize the release of information that the President  
6           determines to be classified in the national security  
7           interest of the United States.

8           “(f) COORDINATION OF VICTIM ASSISTANCE.—

9           “(1) IN GENERAL.—The National Transpor-  
10          tation Safety Board, in cooperation with officials of  
11          appropriate Federal agencies and the American Red  
12          Cross, shall establish a program to ensure the co-  
13          ordination of the disclosure of information under  
14          subsection (e) and assistance provided to victims of  
15          an accident in air commerce.

16          “(2) ESTABLISHMENT OF TOLL-FREE TELE-  
17          PHONE LINE.—

18          “(A) IN GENERAL.—The National Trans-  
19          portation Safety Board, in cooperation with of-  
20          ficials of the appropriate Federal agencies and  
21          the American Red Cross, shall establish a toll-  
22          free telephone line to facilitate the provision of  
23          information under paragraph (3).

24          “(B) ACTION BY THE NATIONAL TRANS-  
25          PORTATION SAFETY BOARD.—The National

1           Transportation Safety Board shall take such  
2           action as may be necessary to ensure—

3                   “(i) the publication of the telephone  
4                   number of the telephone line established  
5                   under subparagraph (A) in newspapers of  
6                   general circulation; and

7                   “(ii) the provision of such number on  
8                   national television news programs.

9                   “(3) INFORMATION PROVIDED BY TELEPHONE  
10                  LINE.—The telephone line established under para-  
11                  graph (2) shall provide the following information  
12                  concerning an accident in air commerce:

13                   “(A) The identifier name and number of  
14                   the aircraft involved in the accident.

15                   “(B) The names of known victims of the  
16                   accident.

17                   “(C) The status of the investigation.

18                   “(D) A list of appropriate Federal agencies  
19                   and contacts.

20                   “(E) The facilities at which victims of the  
21                   accident may be identified.

22                  “(g) CIVIL PENALTIES.—

23                   “(1) IN GENERAL.—Any air carrier that fails to  
24                   provide information in accordance with this section

1 shall be liable for a civil penalty in an amount not  
2 to exceed \$100,000 per violation.

3 “(2) TRAVEL AGENCIES AND OTHER PERSONS  
4 NOT COVERED.—Paragraph (1) shall not apply to a  
5 travel agency or other person that does not provide  
6 interstate or foreign air transportation.

7 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated such sums as may be  
9 necessary to carry out this section.”.

10 (b) CONFORMING AMENDMENT.—The chapter analy-  
11 sis for chapter 447 of title 49, United States Code, is  
12 amended by adding at the end the following new item:

“44724. Air traveler safety program.”.

○