



National Transportation Safety Board
Washington, D.C. 20594

Office of the Chairman

September 26, 2007

The President
The White House
Washington, DC 20500

Dear Mr. President:

This letter is to report a violation of the Antideficiency Act by the National Transportation Safety Board (NTSB), as required by section 1351 of title 31, *United States Code*.

The Antideficiency Act violation first occurred in fiscal year (FY 1998) and continued through FY 2006. It was the result of NTSB having used its appropriated funds to purchase death and dismemberment insurance for agency employees on official travel, primarily when traveling under austere circumstances to overseas remote accident sites. The amount expended for the coverage during the 8 fiscal years totaled \$74,063.

The NTSB self-identified the violation in 2007 when its General Counsel articulated a concern because there was no express statutory authority to purchase the travel insurance. The NTSB then cancelled the policy and requested a formal opinion from the Comptroller General to determine if it agreed that NTSB had no statutory authority to provide the insurance. The Comptroller General decision, dated September 25, 2007, confirmed the NTSB's General Counsel's interpretation of NTSB's authority and also confirmed that the NTSB must report the Antideficiency Act violation in accordance with the provision of law cited above.

No NTSB employee gained personally from this violation. We have determined that NTSB's current management was not aware of this problem before the NTSB's General Counsel identified it as an issue. There is no evidence of a knowing or willful violation of any law or regulation governing the use of appropriated funds. The individual who was responsible for directing the initial purchase beginning in FY 1998 was then Chairman James E. Hall. Mr. Hall was a Chairman of the Board from 1994 to 2001. The policy had been renewed as a matter of course since the initial purchase based on the mistaken belief that the expenditure was a necessary expense directly related to the mission of the NTSB.

Identical letters have been sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and the Government Accountability Office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark V. Rosenker', with a long, sweeping horizontal line extending to the right.

Mark V. Rosenker
Chairman



National Transportation Safety Board

Washington, D.C. 20594

Office of the Chairman

September 26, 2007

Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, DC 20515

Dear Madam Speaker:

This letter is to report a violation of the Antideficiency Act by the National Transportation Safety Board (NTSB), as required by section 1351 of title 31, *United States Code*.

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Mark V. Rosenker
Chairman



National Transportation Safety Board
Washington, D.C. 20594

Office of the Chairman

September 26, 2007

Honorable Richard B. Cheney
The President of the Senate
Washington, DC 20510

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Mark V. Rosenker
Chairman