

**NATIONAL WEATHER SERVICE MANUAL 10-2002**

**JULY 2, 2002**

**Operations and Services  
Forensic Services NWSPD 10-20**

**ROLES OF OTHER GOVERNMENT DEPARTMENTS AND OFFICES**

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**NOTICE:** This publication is available at: <http://www.nws.noaa.gov/directives/>.

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**OPR:** OS52 (R. Kuessner)

**Certified by:** OS5 (D. Wernly)

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**SUMMARY OF REVISIONS:** This directive supersedes Weather Service Operations Manual D-90, "Weather Support for Accident Investigations and Litigation," issuances 97-2 and 97-8 dated February 19, and August 15, 1997, respectively.

Signed by Gregory A. Mandt                      June 25, 2002  
Gregory A. Mandt                                      Date  
Director, Office of Climate,  
Water, and Weather Services

## **Roles of Other Government Departments and Offices**

***National Transportation Safety Board (NTSB)*** - The NTSB is responsible for the investigation and the determination of probable cause of all civil aircraft accidents, certain highway and railroad accidents, pipeline accidents resulting in a fatality or substantial property damage, and certain major marine accidents.

***Federal Aviation Administration (FAA)*** - The FAA is responsible for promulgating and enforcing Federal Aviation Regulations and for certifying civil aircraft for airworthiness, and airmen and air carriers for competency. Under certain circumstances, the NTSB may delegate the investigation of an aircraft accident to the FAA.

***United States Coast Guard*** - The Commandant, United States Coast Guard, appoints a Marine Board of Investigation in major marine accidents to determine probable cause and responsibility. The NTSB may participate in the Marine Board's investigation or conduct its own investigation.

***Department of Justice (DOJ)*** - The DOJ is responsible for the defense of the United States Government against all civil suits. When litigation evolves from an accident and the Government is a defendant, a DOJ trial attorney manages the Government's case. Active assistance is often provided by an FAA staff attorney in aviation cases.

***Department of Commerce (DOC) General Counsel's Office*** - The General Litigation Division of the DOC General Counsel's Office is responsible for processing civil claims under the Federal Tort Claims Act naming the National Oceanic and Atmospheric Administration (NOAA), or any of its components, as an alleged negligent parties. In circumstances where the claims result in suit against the Government, an attorney from the General Litigation Division takes an active role in helping the DOJ trial attorney manage the Government's defense and assists in preparing NWS employees for testimony in depositions and trial. Additionally, the General Counsel's Office assists in preparing NOAA employees designated to appear as witnesses in NTSB and Coast Guard hearings.

***NOAA's Office of General Counsel*** - NOAA's Office of General Counsel is the focal point for interpreting and determining what policies, actions, or responses in connection with the legal process are in the best interest of NOAA and/or NOAA personnel. The office provides advice to employees concerning their appearance as witnesses in private litigation; and provides assistance to employees who are served with subpoenas calling for an appearance to give testimony and/or requiring the production of NOAA documents or records.