

106TH CONGRESS  
1ST SESSION

# H. R. 1551

To authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1999

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Science

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## A BILL

To authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001, 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.**

4 This Act may be cited as the "Civil Aviation Research  
5 and Development Authorization Act of 1999".

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 48102(a) of title 49, United States Code, is  
8 amended—

1           (1) by striking “and” at the end of paragraph  
2           (4)(J);

3           (2) by striking the period at the end of para-  
4           graph (5) and inserting in lieu thereof a semicolon;  
5           and

6           (3) by adding at the end the following:

7           “(6) for fiscal year 2000, \$646,038,400  
8           including—

9                   “(A) \$17,269,000 for system development  
10                   and infrastructure projects and activities;

11                   “(B) \$48,021,500 for capacity and air  
12                   traffic management technology projects and ac-  
13                   tivities;

14                   “(C) \$18,939,200 for communications,  
15                   navigation, and surveillance projects and activi-  
16                   ties;

17                   “(D) \$15,765,000 for weather projects and  
18                   activities;

19                   “(E) \$7,215,700 for airport technology  
20                   projects and activities;

21                   “(F) \$39,639,000 for aircraft safety tech-  
22                   nology projects and activities;

23                   “(G) \$53,218,000 for system security tech-  
24                   nology projects and activities;

1           “(H) \$26,207,000 for human factors and  
2 aviation medicine projects and activities;

3           “(I) \$3,481,000 for environment and en-  
4 ergy projects and activities;

5           “(J) \$2,171,000 for innovative/cooperative  
6 research projects and activities, of which  
7 \$750,000 shall be for carrying out subsection  
8 (h) of this section;

9           “(K) \$266,712,000 for En Route research  
10 and development projects and activities;

11           “(L) \$58,900,000 for Terminal research  
12 and development projects and activities;

13           “(M) \$3,000,000 for Flight Services re-  
14 search and development projects and activities;

15           “(N) \$69,200,000 for Landing and Navi-  
16 gation research and development projects and  
17 activities; and

18           “(O) \$16,300,000 for Equipment and Fa-  
19 cilities research and development projects and  
20 activities; and

21           “(7) for fiscal year 2001, \$673,706,795.”.

1 **SEC. 3. BUDGET DESIGNATION FOR RESEARCH AND DEVEL-**  
2 **OPMENT ACTIVITIES.**

3 Section 48102 of title 49, United States Code, is  
4 amended by inserting after subsection (f) the following  
5 new subsection:

6 “(g) DESIGNATION OF ACTIVITIES.—(1) The  
7 amounts appropriated under subsection (a) are for the  
8 support of all research and development activities carried  
9 out by the Federal Aviation Administration that fall with-  
10 in the categories of basic research, applied research, and  
11 development, including the design and development of pro-  
12 totypes, in accordance with the classifications of the Office  
13 of Management and Budget Circular A–11 (Budget For-  
14 mulation/Submission Process).

15 “(2) The Department of Transportation’s annual  
16 budget request for the Federal Aviation Administration  
17 shall identify all of the activities carried out by the Admin-  
18 istration within the categories of basic research, applied  
19 research, and development, as classified by the Office of  
20 Management and Budget Circular A–11. Each activity in  
21 the categories of basic research, applied research, and de-  
22 velopment shall be identified regardless of the budget cat-  
23 egory in which it appears in the budget request.”.

24 **SEC. 4. NATIONAL AVIATION RESEARCH PLAN.**

25 Section 44501(c) of title 49, United States Code, is  
26 amended—

1 (1) in paragraph (2)(B)—

2 (A) by striking “and” at the end of clause  
3 (iii);

4 (B) by striking the period at the end of  
5 clause (iv) and inserting in lieu thereof “; and”;  
6 and

7 (C) by adding at the end the following new  
8 clause:

9 “(v) highlight the research and development  
10 technology transfer activities that promote tech-  
11 nology sharing among government, industry, and  
12 academia through the Stevenson-Wydler Technology  
13 Innovation Act of 1980.”; and

14 (2) in paragraph (3), by inserting “The report  
15 shall be prepared in accordance with requirements of  
16 section 1116 of title 31, United States Code.” after  
17 “effect for the prior fiscal year.”.

18 **SEC. 5. INTEGRATED SAFETY RESEARCH PLAN.**

19 (a) REQUIREMENT.—Not later than March 1, 2000,  
20 the Administrator of the National Aeronautics and Space  
21 Administration and the Administrator of the Federal  
22 Aviation Administration shall jointly prepare and transmit  
23 to the Congress an integrated civil aviation safety research  
24 and development plan.

1 (b) CONTENTS.—The plan required by subsection (a)  
2 shall include—

3 (1) an identification of the respective research  
4 and development requirements, roles, and respon-  
5 sibilities of the National Aeronautics and Space Ad-  
6 ministration and the Federal Aviation Administra-  
7 tion;

8 (2) formal mechanisms for the timely sharing of  
9 information between the National Aeronautics and  
10 Space Administration and the Federal Aviation Ad-  
11 ministration, including a requirement that the FAA-  
12 NASA Coordinating Committee established in 1980  
13 meet at least twice a year; and

14 (3) procedures for increased communication and  
15 coordination between the Federal Aviation Adminis-  
16 tration research advisory committee established  
17 under section 44508 of title 49, United States Code,  
18 and the NASA Aeronautics and Space Transpor-  
19 tation Technology Advisory Committee, including a  
20 proposal for greater cross-membership between those  
21 2 advisory committees.

22 **SEC. 6. ELIGIBILITY FOR AWARDS.**

23 (a) IN GENERAL.—The Administrator of the Federal  
24 Aviation Administration shall exclude from consideration  
25 for grant agreements made by that Administration with

1 funds appropriated pursuant to the amendments made by  
2 this Act any person who received funds, other than those  
3 described in subsection (b), appropriated for a fiscal year  
4 after fiscal year 1999, under a grant agreement from any  
5 Federal funding source for a project that was not sub-  
6 jected to a competitive, merit-based award process. Any  
7 exclusion from consideration pursuant to this subsection  
8 shall be effective for a period of 5 years after the person  
9 receives such Federal funds.

10 (b) EXCEPTION.—Subsection (a) shall not apply to  
11 the receipt of Federal funds by a person due to the mem-  
12 bership of that person in a class specified by law for which  
13 assistance is awarded to members of the class according  
14 to a formula provided by law.

15 (c) DEFINITION.—For purposes of this section, the  
16 term “grant agreement” means a legal instrument whose  
17 principal purpose is to transfer a thing of value to the  
18 recipient to carry out a public purpose of support or stim-  
19 ulation authorized by a law of the United States, and does  
20 not include the acquisition (by purchase, lease, or barter)  
21 of property or services for the direct benefit or use of the  
22 United States Government. Such term does not include  
23 a cooperative agreement (as such term is used in section  
24 6305 of title 31, United States Code) or a cooperative re-  
25 search and development agreement (as such term is de-

1 fined in section 12(d)(1) of the Stevenson-Wydler Tech-  
2 nology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

3 **SEC. 7. NOTICE.**

4 (a) NOTICE OF REPROGRAMMING.—If any funds au-  
5 thorized by the amendments made by this Act are subject  
6 to a reprogramming action that requires notice to be pro-  
7 vided to the Appropriations Committees of the House of  
8 Representatives and the Senate, notice of such action shall  
9 concurrently be provided to the Committees on Science  
10 and Transportation and Infrastructure of the House of  
11 Representatives and the Committee on Commerce,  
12 Science, and Transportation of the Senate.

13 (b) NOTICE OF REORGANIZATION.—The Adminis-  
14 trator of the Federal Aviation Administration shall provide  
15 notice to the Committees on Science, Transportation and  
16 Infrastructure, and Appropriations of the House of Rep-  
17 resentatives, and the Committees on Commerce, Science,  
18 and Transportation and Appropriations of the Senate, not  
19 later than 15 days before any major reorganization of any  
20 program, project, or activity of the Federal Aviation Ad-  
21 ministration for which funds are authorized by the amend-  
22 ments made by this Act.

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