

106TH CONGRESS
1ST SESSION

H. R. 1551

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 1999

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Civil Aviation Research
3 and Development Authorization Act of 1999”.

4 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 48102(a) of title 49, United States Code, is
6 amended—

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

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

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

13 “(6) for fiscal year 2000, \$208,416,100
14 including—

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

17 “(B) \$33,042,500 for capacity and air
18 traffic management technology projects and ac-
19 tivities;

20 “(C) \$11,265,400 for communications,
21 navigation, and surveillance projects and activi-
22 ties;

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

25 “(E) \$6,358,200 for airport technology
26 projects and activities;

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

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

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

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

9 “(J) \$2,171,000 for innovative/cooperative
10 research projects and activities, of which
11 \$750,000 shall be for carrying out subsection
12 (h) of this section; and

13 “(7) for fiscal year 2001, \$222,950,000.”.

14 **SEC. 3. BUDGET DESIGNATION FOR RESEARCH AND DEVEL-**
15 **OPMENT ACTIVITIES.**

16 Section 48102 of title 49, United States Code, is
17 amended by inserting after subsection (f) the following
18 new subsection:

19 “(g) DESIGNATION OF ACTIVITIES.—(1) The
20 amounts appropriated under subsection (a) are for the
21 support of all research and development activities carried
22 out by the Federal Aviation Administration that fall with-
23 in the categories of basic research, applied research, and
24 development, including the design and development of pro-
25 totypes, in accordance with the classifications of the Office

1 of Management and Budget Circular A–11 (Budget For-
2 mulation/Submission Process).

3 “(2) The Department of Transportation’s annual
4 budget request for the Federal Aviation Administration
5 shall identify all of the activities carried out by the Admin-
6 istration within the categories of basic research, applied
7 research, and development, as classified by the Office of
8 Management and Budget Circular A–11. Each activity in
9 the categories of basic research, applied research, and de-
10 velopment shall be identified regardless of the budget cat-
11 egory in which it appears in the budget request.”.

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

13 Section 44501(c) of title 49, United States Code, is
14 amended—

15 (1) in paragraph (2)(B)—

16 (A) by striking “and” at the end of clause
17 (iii);

18 (B) by striking the period at the end of
19 clause (iv) and inserting in lieu thereof “; and”;
20 and

21 (C) by adding at the end the following new
22 clause:

23 “(v) highlight the research and development
24 technology transfer activities that promote tech-
25 nology sharing among government, industry, and

1 academia through the Stevenson-Wydler Technology
2 Innovation Act of 1980.”; and

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

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

8 (a) REQUIREMENT.—Not later than March 1, 2000,
9 the Administrator of the National Aeronautics and Space
10 Administration and the Administrator of the Federal
11 Aviation Administration shall jointly prepare and transmit
12 to the Congress an integrated civil aviation safety research
13 and development plan.

14 (b) CONTENTS.—The plan required by subsection (a)
15 shall include—

16 (1) an identification of the respective research
17 and development requirements, roles, and respon-
18 sibilities of the National Aeronautics and Space Ad-
19 ministration and the Federal Aviation Administra-
20 tion;

21 (2) formal mechanisms for the timely sharing of
22 information between the National Aeronautics and
23 Space Administration and the Federal Aviation Ad-
24 ministration, including a requirement that the FAA-

1 NASA Coordinating Committee established in 1980
2 meet at least twice a year; and

3 (3) procedures for increased communication and
4 coordination between the Federal Aviation Adminis-
5 tration research advisory committee established
6 under section 44508 of title 49, United States Code,
7 and the NASA Aeronautics and Space Transpor-
8 tation Technology Advisory Committee, including a
9 proposal for greater cross-membership between those
10 two advisory committees.

11 **SEC. 6. INTERNET AVAILABILITY OF INFORMATION.**

12 The Administrator of the Federal Aviation Adminis-
13 tration shall make available through the Internet home
14 page of the Federal Aviation Administration the abstracts
15 relating to all research grants and awards made with
16 funds authorized by the amendments made by this Act.
17 Nothing in this section shall be construed to require or
18 permit the release of any information prohibited by law
19 or regulation from being released to the public.

20 **SEC. 7. RESEARCH ON NONSTRUCTURAL AIRCRAFT SYS-**
21 **TEMS.**

22 Section 44504(b)(1) of title 49, United States Code,
23 is amended by inserting “, including nonstructural aircraft
24 systems,” after “life of aircraft”.

1 **SEC. 8. ELIGIBILITY FOR AWARDS.**

2 (a) IN GENERAL.—The Administrator of the Federal
3 Aviation Administration shall exclude from consideration
4 for grant agreements made by that Administration with
5 funds appropriated pursuant to the amendments made by
6 this Act any person who received funds, other than those
7 described in subsection (b), appropriated for a fiscal year
8 after fiscal year 1999, under a grant agreement from any
9 Federal funding source for a project that was not sub-
10 jected to a competitive, merit-based award process, except
11 as specifically authorized by this Act. Any exclusion from
12 consideration pursuant to this subsection shall be effective
13 for a period of 5 years after the person receives such Fed-
14 eral funds.

15 (b) EXCEPTION.—Subsection (a) shall not apply to
16 the receipt of Federal funds by a person due to the mem-
17 bership of that person in a class specified by law for which
18 assistance is awarded to members of the class according
19 to a formula provided by law.

20 (c) DEFINITION.—For purposes of this section, the
21 term “grant agreement” means a legal instrument whose
22 principal purpose is to transfer a thing of value to the
23 recipient to carry out a public purpose of support or stim-
24 ulation authorized by a law of the United States, and does
25 not include the acquisition (by purchase, lease, or barter)
26 of property or services for the direct benefit or use of the

1 United States Government. Such term does not include
2 a cooperative agreement (as such term is used in section
3 6305 of title 31, United States Code) or a cooperative re-
4 search and development agreement (as such term is de-
5 fined in section 12(d)(1) of the Stevenson-Wydler Tech-
6 nology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

7 **SEC. 9. COMPLIANCE WITH BUY AMERICAN ACT.**

8 No funds authorized pursuant to this Act may be ex-
9 pended by an entity unless the entity agrees that in ex-
10 pending the assistance the entity will comply with sections
11 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
12 10e, popularly known as the “Buy American Act”).

13 **SEC. 10. SENSE OF THE CONGRESS; REQUIREMENT RE-**
14 **GARDING NOTICE.**

15 (a) **PURCHASE OF AMERICAN-MADE EQUIPMENT**
16 **AND PRODUCTS.**—In the case of any equipment or prod-
17 ucts that may be authorized to be purchased with financial
18 assistance provided under this Act, it is the sense of the
19 Congress that entities receiving such assistance should, in
20 expending the assistance, purchase only American-made
21 equipment and products.

22 (b) **NOTICE TO RECIPIENTS OF ASSISTANCE.**—In
23 providing financial assistance under this Act, the Adminis-
24 trator of the Federal Aviation Administration shall provide

1 to each recipient of the assistance a notice describing the
2 statement made in subsection (a) by the Congress.

3 **SEC. 11. PROHIBITION OF CONTRACTS.**

4 If it has been finally determined by a court or Federal
5 agency that any person intentionally affixed a label bear-
6 ing a “Made in America” inscription, or any inscription
7 with the same meaning, to any product sold in or shipped
8 to the United States that is not made in the United
9 States, such person shall be ineligible to receive any con-
10 tract or subcontract made with funds provided pursuant
11 to this Act, pursuant to the debarment, suspension, and
12 ineligibility procedures described in section 9.400 through
13 9.409 of title 48, Code of Federal Regulations.

14 **SEC. 12. LASER VISUAL GUIDANCE RESEARCH.**

15 The Federal Aviation Administration is encouraged
16 to conduct research on the laser visual guidance landing
17 system.

Passed the House of Representatives September 15,
1999.

Attest:

JEFF TRANDAHL,

Clerk.