

Union Calendar No. 126

103D CONGRESS
1ST SESSION

H. R. 2820

[Report No. 103-225]

A BILL

To authorize appropriations for the Federal Aviation Administration for fiscal years 1994, 1995, and 1996 for research, engineering, and development to increase the efficiency and safety of air transport.

AUGUST 31, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1993

Mr. VALENTINE introduced the following bill; which was referred to the Committee on Science, Space, and Technology

AUGUST 31, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on August 2, 1993]

A BILL

To authorize appropriations for the Federal Aviation Administration for fiscal years 1994, 1995, and 1996 for research, engineering, and development to increase the efficiency and safety of air transport.

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 “Federal Aviation Ad-*
3 *ministration Research, Engineering, and Development Au-*
4 *thorization Act of 1993”.*

5 **SEC. 2. AVIATION RESEARCH AUTHORIZATION OF APPRO-**
6 **PRIATIONS.**

7 *Section 506(b)(2) of the Airport and Airway Improve-*
8 *ment Act of 1982 (49 U.S.C. App. 2205(b)(2)) is amended*
9 *by striking subparagraph (A) and all that follows through*
10 *the end of the paragraph and inserting the following:*

11 *“(A) for fiscal year 1994—*

12 *“(i) \$13,498,000 solely for manage-*
13 *ment and analysis projects and activities;*

14 *“(ii) \$76,939,000 solely for capacity*
15 *and air traffic management technology*
16 *projects and activities;*

17 *“(iii) \$35,675,000 solely for commu-*
18 *nications, navigation, and surveillance*
19 *projects and activities;*

20 *“(iv) \$1,908,000 solely for weather*
21 *projects and activities;*

22 *“(v) \$7,509,000 solely for airport tech-*
23 *nology projects and activities;*

24 *“(vi) \$40,175,000 solely for aircraft*
25 *safety technology projects and activities;*

1 “(vii) \$35,430,000 solely for system se-
2 curity technology projects and activities;

3 “(viii) \$27,756,000 solely for human
4 factors and aviation medicine projects and
5 activities;

6 “(ix) \$5,385,000 for environment and
7 energy projects and activities; and

8 “(x) \$5,725,000 for innovative/coopera-
9 tive research projects and activities, of
10 which \$1,000,000 shall be available for the
11 establishment of a new Aviation Center of
12 Excellence;

13 “(B) for fiscal year 1995—

14 “(i) \$14,847,000 solely for manage-
15 ment and analysis projects and activities;

16 “(ii) \$84,000,000 solely for capacity
17 and air traffic management technology
18 projects and activities;

19 “(iii) \$39,242,000 solely for commu-
20 nications, navigation, and surveillance
21 projects and activities;

22 “(iv) \$2,098,000 solely for weather
23 projects and activities;

24 “(v) \$8,260,000 solely for airport tech-
25 nology projects and activities;

1 “(vi) \$44,192,000 solely for aircraft
2 safety technology projects and activities;

3 “(vii) \$39,523,000 solely for system se-
4 curity technology projects and activities;

5 “(viii) \$31,716,000 solely for human
6 factors and aviation medicine projects and
7 activities;

8 “(ix) \$5,923,000 for environment and
9 energy projects and activities; and

10 “(x) \$5,199,000 for innovative/coopera-
11 tive research projects and activities; and

12 “(C) for fiscal year 1996—

13 “(i) \$16,332,000 solely for manage-
14 ment and analysis projects and activities;

15 “(ii) \$92,402,000 solely for capacity
16 and air traffic management technology
17 projects and activities;

18 “(iii) \$43,167,000 solely for commu-
19 nications, navigation, and surveillance
20 projects and activities;

21 “(iv) \$2,307,000 solely for weather
22 projects and activities;

23 “(v) \$9,086,000 solely for airport tech-
24 nology projects and activities;

1 “(vi) \$48,611,000 solely for aircraft
2 safety technology projects and activities;

3 “(vii) \$43,475,000 solely for system se-
4 curity technology projects and activities;

5 “(viii) \$34,887,000 solely for human
6 factors and aviation medicine projects and
7 activities;

8 “(ix) \$6,515,000 environment and en-
9 ergy projects and activities; and

10 “(x) \$5,718,000 for innovative/coopera-
11 tive research projects and activities.

12 *Not less than 15 percent of the amount appropriated pursu-*
13 *ant to this paragraph shall be for long-term research*
14 *projects, and not less than 3 percent of the amount appro-*
15 *priated under this paragraph shall be available to the Ad-*
16 *ministrator for making grants under section 312(g) of the*
17 *Federal Aviation Act of 1958.”.*

18 **SEC. 3. JOINT AVIATION RESEARCH AND DEVELOPMENT**

19 **PROGRAM.**

20 (a) *ESTABLISHMENT.*—*The Administrator and the*
21 *heads of other appropriate Federal agencies shall jointly es-*
22 *tablish a program to conduct research on aviation tech-*
23 *nologies that enhance United States competitiveness. The*
24 *program shall include—*

1 (1) *next-generation satellite communications, in-*
2 *cluding global positioning satellites;*

3 (2) *advances airport and airplane security;*

4 (3) *environmentally compatible technologies, in-*
5 *cluding technologies that limit or reduce noise and*
6 *air pollution;*

7 (4) *advanced aviation safety programs; and*

8 (5) *technologies and procedures to enhance and*
9 *improve airport and airway capacity.*

10 (b) *PROCEDURES FOR CONTRACTS AND GRANTS.*—*The*
11 *Administrator and the heads of the other appropriate Fed-*
12 *eral agencies shall administer contracts and grants entered*
13 *into under the program established under subsection (a) in*
14 *accordance with procedures developed jointly by the Admin-*
15 *istrator and the heads of the other appropriate Federal*
16 *agencies. The procedures should include an integrated ac-*
17 *quisition policy for contract and grant requirements and*
18 *for technical data rights that are not an impediment to*
19 *joint programs among the Federal Aviation Administra-*
20 *tion, the other Federal agencies involved, and industry.*

21 (c) *PROGRAM ELEMENTS.*—*The program established*
22 *under subsection (a) shall include—*

23 (1) *selected programs that jointly enhance public*
24 *and private aviation technology development;*

1 *toms such as headaches, nausea, fatigue, and*
2 *lightheadedness; and*

3 *(2) the risk of airline passengers and crew con-*
4 *tracting infectious diseases during flight.*

5 *(b) CONTRACT WITH INDEPENDENT RESEARCH ORGA-*
6 *NIZATION.—In carrying out the research program estab-*
7 *lished under subsection (a), the Administrator and the*
8 *heads of the other appropriate Federal agencies shall con-*
9 *tract with an independent research organization to carry*
10 *out any studies necessary to meet the goals of the program*
11 *set forth in subsection (c).*

12 *(c) GOALS.—The goals of the research program estab-*
13 *lished under subsection (a) shall be—*

14 *(1) to determine what, if any, cabin air condi-*
15 *tions currently exist on domestic aircraft used for*
16 *flights within the United States that could be harmful*
17 *to the health of airline passengers and crew, as indi-*
18 *cated by physical symptoms such as headaches, nau-*
19 *sea, fatigue, and lightheadedness, and including the*
20 *risk of infection by bacteria and viruses;*

21 *(2) to determine to what extent, changes in,*
22 *cabin air pressure, temperature, rate of cabin air cir-*
23 *culation, the quantity of fresh air per occupant, and*
24 *humidity on current domestic aircraft would reduce*

1 *or eliminate the risk of illness or discomfort to airline*
2 *passengers and crew; and*

3 *(3) to establish a long-term research program to*
4 *examine potential health problems to airline pas-*
5 *sengers and crew that may arise in an airplane cabin*
6 *on a flight within the United States because of cabin*
7 *air quality as a result of the conditions and changes*
8 *described in paragraphs (1) and (2).*

9 *(d) PARTICIPATION.—In carrying out the research pro-*
10 *gram established under subsection (a), the Administrator*
11 *shall encourage participation in the program by representa-*
12 *tives of aircraft manufacturers, air carriers, aviation em-*
13 *ployee organizations, airline passengers, and academia.*

14 *(e) REPORT.—(1) Within six months after the date of*
15 *enactment of this Act, the Administrator shall submit to*
16 *the Congress a plan for implementation of the research pro-*
17 *gram established under subsection (a).*

18 *(2) The Administrator shall annually submit to the*
19 *Congress a report on the progress made during the year for*
20 *which the report is submitted toward meeting the goals set*
21 *forth in subsection (c).*

22 *(f) AUTHORIZATION OF APPROPRIATIONS.—Of*
23 *amounts authorized to be appropriated for fiscal years*
24 *1994, 1995, and 1996 under section 506(b)(2) of the Airport*
25 *and Airway Improvement Act of 1982 (49 U.S.C. App.*

1 2205(b)(2)), as amended by section 2 of this Act, there are
2 authorized to be appropriated for fiscal years 1994, 1995,
3 and 1996, respectively, such sums as may be necessary to
4 carry out this section.

5 **SEC. 5. LIMITATION ON APPROPRIATIONS.**

6 Notwithstanding any other provision of this Act, no
7 funds are authorized to be appropriated for any fiscal year
8 after fiscal year 1996 for carrying out the programs for
9 which funds are authorized by this Act, or by the amend-
10 ments made by this Act.

11 **SEC. 6. USE OF DOMESTIC PRODUCTS.**

12 (a) PROHIBITION AGAINST FRAUDULENT USE OF
13 "MADE IN AMERICA" LABELS.—(1) A person shall not in-
14 tentiously affix a label bearing the inscription of "Made
15 in America", or any inscription with that meaning, to any
16 product sold in or shipped to the United States, if that
17 product is not a domestic product.

18 (2) A person who violates paragraph (1) shall not be
19 eligible for any contract for a procurement carried out with
20 amounts authorized under this Act, including any sub-
21 contract under such a contract pursuant to the debarment,
22 suspension, and ineligibility procedures in subpart 9.4 of
23 chapter 1 of title 48, Code of Federal Regulations, or any
24 successor procedures thereto.

1 (b) *COMPLIANCE WITH BUY AMERICAN ACT.*—(1) *Ex-*
2 *cept as provided in paragraph (2), the head of each office*
3 *within the Federal Aviation Administration that conducts*
4 *procurements shall ensure that such procurements are con-*
5 *ducted in compliance with sections 2 through 4 of the Act*
6 *of March 3, 1933 (41 U.S.C. 10a through 10c, popularly*
7 *known as the “Buy American Act”).*

8 (2) *This subsection shall apply only to procurements*
9 *made for which—*

10 (A) *amounts are authorized by this Act to be*
11 *made available; and*

12 (B) *solicitations for bids are issued after the date*
13 *of the enactment of this Act.*

14 (3) *The Secretary, before January 1, 1995, shall report*
15 *to the Congress on procurements covered under this sub-*
16 *section of products that are not domestic products.*

17 (c) *DEFINITIONS.*—*For the purposes of this section, the*
18 *term “domestic product” means a product—*

19 (1) *that is manufactured or produced in the*
20 *United States; and*

21 (2) *at least 50 percent of the cost of the articles,*
22 *materials, or supplies of which are mined, produced,*
23 *or manufactured in the United States.*

1 **SEC. 7. PURCHASE OF AMERICAN MADE EQUIPMENT AND**
2 **PRODUCTS.**

3 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
4 that any recipient of a grant under this Act, or under any
5 amendment made by this Act, should purchase, when avail-
6 able and cost-effective, American made equipment and
7 products when expending grant monies.

8 (b) *NOTICE TO RECIPIENTS OF ASSISTANCE.*—In allo-
9 cating grants under this Act, or under any amendment
10 made by this Act, the Secretary shall provide to each recipi-
11 ent a notice describing the statement made in subsection
12 (a) by the Congress.