

Calendar No. 202

106TH CONGRESS
1ST SESSION

S. 1072

[Report No. 106–105]

To make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 14), 1999

Mr. DEWINE (for himself, Mr. HELMS, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

JULY 8, 1999

Reported under authority of the order of the Senate of June 29, 1999, by
Mr. THOMPSON, without amendment

A BILL

To make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

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. CENTENNIAL OF FLIGHT COMMISSION.**

2 The Centennial of Flight Commemoration Act (36
3 U.S.C. 143 note; 112 Stat. 3486 et seq.) is amended—

4 (1) in section 4—

5 (A) in subsection (a)—

6 (i) in paragraphs (1) and (2) by strik-
7 ing “or his designee”;

8 (ii) in paragraph (3) by striking “, or
9 his designee” and inserting “to represent
10 the interests of the Foundation”;

11 (iii) in paragraph (4) by striking “, or
12 his designee” and inserting “to represent
13 the interests of the 2003 Committee”;

14 (iv) in paragraph (5) by inserting be-
15 fore the period “and shall represent the in-
16 terests of such aeronautical entities”; and

17 (v) in paragraph (6) by striking “, or
18 his designee”;

19 (B) by striking subsection (f);

20 (C) by redesignating subsections (b)
21 through (e) as subsections (c) through (f), re-
22 spectively; and

23 (D) by inserting after subsection (a) the
24 following:

25 “(b) ALTERNATES.—Each member described under
26 subsection (a) may designate an alternate who may act

1 in lieu of the member to the extent authorized by the
 2 member, including attending meetings and voting.”;

3 (2) in section 5—

4 (A) in subsection (a)—

5 (i) by inserting “provide recommenda-
 6 tions and advice to the President, Con-
 7 gress, and Federal agencies on the most
 8 effective ways to” after “The Commission
 9 shall”;

10 (ii) by striking paragraph (1); and

11 (iii) by redesignating paragraphs (2)
 12 through (7) as paragraphs (1) through (6),
 13 respectively;

14 (B) by redesignating subsection (b) as sub-
 15 section (c) and inserting after subsection (a)
 16 the following:

17 “(b) INTERNATIONAL ACTIVITIES.—The Commission
 18 may—

19 “(1) advise the United States with regard to
 20 gaining support for and facilitating international
 21 recognition of the importance of aviation history in
 22 general and the centennial of powered flight in par-
 23 ticular; and

24 “(2) attend international meetings regarding
 25 such activities as advisors to official United States

1 representatives or to gain or provide information for
2 or about the activities of the Commission.”; and

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

4 “(d) ADDITIONAL DUTIES.—The Commission may—

5 “(1)(A) assemble, write, and edit a calendar of
6 events in the United States (and significant events
7 in the world) dealing with the commemoration of the
8 centennial of flight or the history of aviation;

9 “(B) actively solicit event information; and

10 “(C) disseminate the calendar by printing and
11 distributing hard and electronic copies and making
12 the calendar available on a web page on the Inter-
13 net;

14 “(2) maintain a web page on the Internet for
15 the public that includes activities related to the cen-
16 tennial of flight celebration and the history of avia-
17 tion;

18 “(3) write and produce press releases about the
19 centennial of flight celebration and the history of
20 aviation;

21 “(4) solicit and respond to media inquiries and
22 conduct media interviews on the centennial of flight
23 celebration and the history of aviation;

24 “(5) initiate contact with individuals and orga-
25 nizations that have an interest in aviation to encour-

1 age such individuals and organizations to conduct
 2 their own activities in celebration of the centennial
 3 of flight;

4 “(6) provide advice and make recommendations
 5 to individuals and organizations that wish to conduct
 6 their own activities in celebration of the centennial
 7 of flight, and maintain files of information and lists
 8 of experts on related subjects that can be dissemi-
 9 nated on request;

10 “(7) sponsor meetings of Federal agencies,
 11 State and local governments, and private individuals
 12 and organizations for the purpose of coordinating
 13 their activities in celebration of the centennial of
 14 flight; and

15 “(8) encourage organizations to publish works
 16 related to the history of aviation.”;

17 (3) in section 6(a)—

18 (A) in paragraph (2)—

19 (i) by striking the first sentence; and

20 (ii) in the second sentence—

21 (I) by striking “the Federal” and
 22 inserting “a Federal”; and

23 (II) by striking “the informa-
 24 tion” and inserting “information”;
 25 and

1 (B) in paragraph (3) by striking “section
2 4(c)(2)” and inserting “section 4(d)(2)”;

3 (4) in section 6(c)(1) by striking “the Commis-
4 sion may” and inserting “the Administrator of the
5 National Aeronautics and Space Administration or
6 the Administrator of the Federal Aviation Adminis-
7 tration (or an employee of the respective administra-
8 tion as designated by either Administrator) may, on
9 behalf of the Commission,”;

10 (5) in section 7—

11 (A) in subsection (a) in the first
12 sentence—

13 (i) by striking “There” and inserting
14 “Subject to subsection (h), there”; and

15 (ii) by inserting before the period “or
16 represented on the Advisory Board under
17 section 12(b)(1) (A) through (E)”;

18 (B) in subsection (b) by striking “The
19 Commission” and inserting “Subject to sub-
20 section (h), the Commission”;

21 (C) by striking subsection (g);

22 (D) by redesignating subsection (h) as sub-
23 section (g); and

24 (E) by adding at the end the following:

1 “(h) LIMITATION.—Each member of the Commission
 2 described under section 4(a) (3), (4), and (5) may not
 3 make personnel decisions, including hiring, termination,
 4 and setting terms and conditions of employment.”;

5 (6) in section 9—

6 (A) in subsection (a)—

7 (i) by striking “The Commission
 8 may” and inserting “After consultation
 9 with the Commission, the Administrator of
 10 the National Aeronautics and Space Ad-
 11 ministration may”; and

12 (ii) by striking “its duties or that it”
 13 and inserting “the duties under this Act or
 14 that the Administrator of the National
 15 Aeronautics and Space Administration”;

16 (B) in subsection (b)—

17 (i) in the first sentence by striking
 18 “The Commission shall have” and insert-
 19 ing “After consultation with the Commis-
 20 sion, the Administrator of the National
 21 Aeronautics and Space Administration may
 22 exercise”; and

23 (ii) in the second sentence by striking
 24 “that the Commission lawfully adopts” and

1 inserting “adopted under subsection (a)”;

2 and

3 (C) by amending subsection (d) to read as

4 follows:

5 “(d) USE OF FUNDS.—

6 “(1) IN GENERAL.—Subject to paragraph (2),

7 funds from licensing royalties received under this

8 section shall be used by the Commission to carry out

9 the duties of the Commission specified by this Act.

10 “(2) EXCESS FUNDS.—The Commission shall

11 transfer any portion of funds in excess of funds nec-

12 essary to carry out the duties described under para-

13 graph (1), to the National Aeronautics and Space

14 Administration to be used for the sole purpose of

15 commemorating the history of aviation or the cen-

16 tennial of powered flight.”;

17 (7) in section 10—

18 (A) in subsection (a)—

19 (i) in the first sentence, by striking

20 “activities of the Commission” and insert-

21 ing “actions taken by the Commission in

22 fulfillment of the Commission’s duties

23 under this Act”;

24 (ii) in paragraph (3), by adding “and”

25 after the semicolon;

1 (iii) in paragraph (4), by striking the
 2 semicolon and “and” and inserting a pe-
 3 riod; and

4 (iv) by striking paragraph (5); and

5 (B) in subsection (b)(1) by striking “ac-
 6 tivities” and inserting “recommendations”;

7 (8) in section 12—

8 (A) in subsection (b)—

9 (i) in paragraph (1)—

10 (I) in subparagraphs (A), (C),
 11 (D), and (E), by striking “, or the
 12 designee of the Secretary”;

13 (II) in subparagraph (B), by
 14 striking “, or the designee of the Li-
 15 brarian”; and

16 (III) in subparagraph (F)—

17 (aa) in clause (i) by striking
 18 “government” and inserting
 19 “governmental entity”; and

20 (bb) by amending clause (ii)

21 to read as follows:

22 “(ii) shall be selected among individ-
 23 uals who—

24 “(I) have earned an advanced de-
 25 gree related to aerospace history or

1 science, or have actively and primarily
 2 worked in an aerospace related field
 3 during the 5-year period before ap-
 4 pointment by the President; and

5 “(II) specifically represent 1 or
 6 more of the persons or groups enu-
 7 merated under section 5(a)(1).”; and

8 (ii) by adding at the end the fol-
 9 lowing:

10 “(2) ALTERNATES.—Each member described
 11 under paragraph (1) (A) through (E) may designate
 12 an alternate who may act in lieu of the member to
 13 the extent authorized by the member, including at-
 14 tending meetings and voting.”; and

15 (B) in subsection (h) by striking “section
 16 4(e)” and inserting “section 4(d)”; and
 17 (9) in section 13—

18 (A) by striking paragraph (4); and

19 (B) by redesignating paragraph (5) as
 20 paragraph (4).

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