

106TH CONGRESS  
1ST SESSION

# S. 1682

To amend title 49, United States Code, to authorize management reforms of the Federal Aviation Administration, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 1999

Mr. ROCKEFELLER (for himself and Mr. GORTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend title 49, United States Code, to authorize management reforms of the Federal Aviation Administration, 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 “Air Traffic Manage-  
5 ment Improvement Act of 1999”.

6 **SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

7 Except as otherwise specifically provided, whenever in  
8 this Act an amendment or repeal is expressed in terms  
9 of an amendment to, or repeal of, a section or other provi-

1 sion of law, the reference shall be considered to be made  
2 to a section or other provision of title 49, United States  
3 Code.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) ADMINISTRATOR.—The term “Adminis-  
7 trator” means the Administrator of the Federal  
8 Aviation Administration.

9 (2) SECRETARY.—The term “Secretary” means  
10 the Secretary of the Department of Transportation.

11 **SEC. 4. FINDINGS.**

12 The Congress makes the following findings:

13 (1) The nation’s air transportation system is  
14 projected to grow by 3.4 percent per year over the  
15 next 12 years.

16 (2) Passenger enplanements are expected to  
17 rise to more than 1 billion by 2009, from the cur-  
18 rent level of 660 million.

19 (3) The aviation industry is one of our Nation’s  
20 critical industries, providing a means of travel to  
21 people throughout the world, and a means of moving  
22 cargo around the globe.

23 (4) The ability of all sectors of American soci-  
24 ety, urban and rural, to to access and to compete ef-  
25 fectively in the new and dynamic global economy re-

1       quires the ability of the aviation industry to serve all  
2       the Nation's communities effectively and efficiently.

3           (5) The Federal government's role is to pro-  
4       mote a safe and efficient national air transportation  
5       system through the management of the air traffic  
6       control system and through effective and sufficient  
7       investment in aviation infrastructure, including the  
8       Nation's airports.

9           (6) Numerous studies and reports, including  
10      the National Civil Aviation Review Commission, have  
11      concluded that the projected expansion of air service  
12      may be constrained by gridlock in our Nation's air-  
13      ways, unless substantial management reforms are  
14      initiated for the Federal Aviation Administration.

15          (7) The Federal Aviation Administration is re-  
16      sponsible for safely and efficiently managing the Na-  
17      tional Airspace System 365 days a year, 24 hours a  
18      day.

19          (8) The Federal Aviation Administration's abil-  
20      ity to efficiently manage the air traffic system in the  
21      United States is restricted by antiquated air traffic  
22      control equipment.

23          (9) The Congress has previously recognized  
24      that the Administrator needs relief from the Federal  
25      government's cumbersome personnel and procure-

1       ment laws and regulations to take advantage of  
2       emerging technologies and to hire and retain effec-  
3       tive managers.

4               (10) The ability of the Administrator to achieve  
5       greater efficiencies in the management of the air  
6       traffic control system requires additional manage-  
7       ment reforms, such as the ability to offer incentive  
8       pay for excellence in the employee workforce.

9               (11) The ability of the Administrator to effec-  
10      tively manage finances is dependent in part on the  
11      Federal Aviation Administration's ability to enter  
12      into long-term debt and lease financing of facilities  
13      and equipment, which in turn are dependent on sus-  
14      tained sound audits and implementation of a cost  
15      management program.

16              (12) The Administrator should use the full au-  
17      thority of the Federal Aviation Administration to  
18      make organizational changes to improve the effi-  
19      ciency of the air traffic control system, without com-  
20      promising the Federal Aviation Administration's pri-  
21      mary mission of protecting the safety of the travel-  
22      ing public.

23   **SEC. 5. AIR TRAFFIC CONTROL SYSTEM DEFINED.**

24       Section 40102(a) is amended—

1           (1) by redesignating paragraphs (5) through  
2           (41) as paragraphs (6) through (42), respectively;  
3           and

4           (2) by inserting after paragraph (4) the fol-  
5           lowing:

6           “(5) ‘air traffic control system’ means the com-  
7           bination of elements used to safely and efficiently  
8           monitor, direct, control, and guide aircraft in the  
9           United States and United States-assigned airspace,  
10          including—

11           “(A) allocated electromagnetic spectrum  
12           and physical, real, personal, and intellectual  
13           property assets making up facilities, equipment,  
14           and systems employed to detect, track, and  
15           guide aircraft movement;

16           “(B) laws, regulations, orders, directives,  
17           agreements, and licenses;

18           “(C) published procedures that explain re-  
19           quired actions, activities, and techniques used  
20           to ensure adequate aircraft separation; and

21           “(D) trained personnel with specific tech-  
22           nical capabilities to satisfy the operational, en-  
23           gineering, management, and planning require-  
24           ments for air traffic control.”.

1 **SEC. 6. CHIEF OPERATING OFFICER FOR AIR TRAFFIC**  
2 **SERVICES.**

3 (a) Section 106 is amended by adding at the end the  
4 following:

5 ‘(r) CHIEF OPERATING OFFICER.—

6 “(1) IN GENERAL.—

7 “(A) APPOINTMENT.—There shall be a  
8 Chief Operating Officer for the air traffic con-  
9 trol system to be appointed by the Adminis-  
10 trator, after consultation with the Management  
11 Advisory Council. The Chief Operating Officer  
12 shall report directly to the Administrator and  
13 shall be subject to the authority of the Adminis-  
14 trator.

15 “(B) QUALIFICATIONS.—The Chief Oper-  
16 ating Officer shall have a demonstrated ability  
17 in management and knowledge of or experience  
18 in aviation.

19 “(C) TERM.—The Chief Operating Officer  
20 shall be appointed for a term of 5 years.

21 “(D) REMOVAL.—The Chief Operating Of-  
22 ficer shall serve at the pleasure of the Adminis-  
23 trator, except that the Administrator shall  
24 make every effort to ensure stability and con-  
25 tinuity in the leadership of the air traffic con-  
26 trol system.

1 “(E) COMPENSATION.—

2 “(i) The Chief Operating Officer shall  
3 be paid at an annual rate of basic pay not  
4 to exceed that of the Administrator, includ-  
5 ing any applicable locality-based payment.  
6 This basic rate of pay shall subject the  
7 chief operating officer to the post-employ-  
8 ment provisions of section 207 of title 18  
9 as if this position were described in section  
10 207(c)(2)(A)(i) of that title.

11 “(ii) In addition to the annual rate of  
12 basic pay authorized by paragraph (1) of  
13 this subsection, the Chief Operating Offi-  
14 cer may receive a bonus not to exceed 50  
15 percent of the annual rate of basic pay,  
16 based upon the Administrator’s evaluation  
17 of the Chief Operating Officer’s perform-  
18 ance in relation to the performance goals  
19 set forth in the performance agreement de-  
20 scribed in subsection (b) of this section. A  
21 bonus may not cause the Chief Operating  
22 Officer’s total aggregate compensation in a  
23 calendar year to equal or exceed the  
24 amount of the President’s salary under  
25 section 102 of title 3, United States Code.

1           “(2) ANNUAL PERFORMANCE AGREEMENT.—

2           The Administrator and the Chief Operating Officer  
3           shall enter into an annual performance agreement  
4           that sets forth measurable organization and indi-  
5           vidual goals for the Chief Operating Officer in key  
6           operational areas. The agreement shall be subject to  
7           review and renegotiation on an annual basis.

8           “(3) ANNUAL PERFORMANCE REPORT.—The

9           Chief Operating Officer shall prepare and submit to  
10          the Secretary of Transportation and Congress an  
11          annual management report containing such informa-  
12          tion as may be prescribed by the Secretary.’.

13          “(4) RESPONSIBILITIES.—The Administrator

14          may delegate to the Chief Operating Officer, or any  
15          other authority within the Federal Aviation Adminis-  
16          tration responsibilities, including, but not limited to  
17          the following:

18                 “(A) STRATEGIC PLANS.—To develop a

19                 strategic plan of the Federal Aviation Adminis-  
20                 tration for the air traffic control system, includ-  
21                 ing the establishment of—

22                         “(i) a mission and objectives;

23                         “(ii) standards of performance relative  
24                         to such mission and objectives, including  
25                         safety, efficiency, and productivity; and

1           “(iii) annual and long-range strategic  
2 plans.

3           “(iv) methods of the Federal Aviation  
4 Administration to accelerate air traffic  
5 control modernization and improvements in  
6 aviation safety related to air traffic con-  
7 trol.

8           “(B) OPERATIONS.—To review the oper-  
9 ational functions of the Federal Aviation Ad-  
10 ministration, including—

11           “(i) modernization of the air traffic  
12 control system;

13           “(ii) increasing productivity or imple-  
14 menting cost-saving measures; and

15           “(iii) training and education.

16           “(C) BUDGET.—To—

17           “(i) develop a budget request of the  
18 Federal Aviation Administration related to  
19 the air traffic control system prepared by  
20 the Administrator;

21           “(ii) submit such budget request to the  
22 Administrator and the Secretary of Trans-  
23 portation; and

24           “(iii) ensure that the budget request  
25 supports the annual and long-range stra-



1 (b) TERMS OF MEMBERS.—Section 106(p)(6)(A)(i)  
2 is amended by striking “by the President”.

3 (c) AIR TRAFFIC SERVICES SUBCOMMITTEE.—Sec-  
4 tion 106(p)(6) is amended by adding at the end thereof  
5 the following:

6 “(E) AIR TRAFFIC SERVICES SUB-  
7 COMMITTEE.—The Chairman of the Manage-  
8 ment Advisory Council shall constitute an Air  
9 Traffic Services Subcommittee to provide com-  
10 ments, recommend modifications, and provide  
11 dissenting views to the Administrator on the  
12 performance of air traffic services, including—

13 “(i) the performance of the Chief Op-  
14 erating Officer and other senior managers  
15 within the air traffic organization of the  
16 Federal Aviation Administration;

17 “(ii) long-range and strategic plans  
18 for air traffic services;

19 “(iii) review the Administrator’s selec-  
20 tion, evaluation, and compensation of sen-  
21 ior executives of the Federal Aviation Ad-  
22 ministration who have program manage-  
23 ment responsibility over significant func-  
24 tions of the air traffic control system;

1           “(iv) review and make recommenda-  
2           tions to the Administrator’s plans for any  
3           major reorganization of the Federal Avia-  
4           tion Administration that would effect the  
5           management of the air traffic control sys-  
6           tem;

7           “(v) review, and make recommenda-  
8           tions the Administrator’s cost allocation  
9           system and financial management struc-  
10          ture and technologies to help ensure effi-  
11          cient and cost-effective air traffic control  
12          operation.

13          “(vi) review the performance and co-  
14          operation of managers responsible for  
15          major acquisition projects, including the  
16          ability of the managers to meet schedule  
17          and budget targets; and

18          “(vii) other significant actions that  
19          the Subcommittee considers appropriate  
20          and that are consistent with the implemen-  
21          tation of this Act.”.

22 **SEC. 8. COMPENSATION OF THE ADMINISTRATOR.**

23       Section 106(b) is amended—

24           (1) by inserting “(1)” before “The”; and

25           (2) by adding at the end the following:

1           “(2) In addition to the annual rate of pay au-  
2           thorized for the Administrator, the Administrator  
3           may receive a bonus not to exceed 50 percent of the  
4           annual rate of basic pay, based upon the Secretary’s  
5           evaluation of the Administrator’s performance in re-  
6           lation to the performance goals set forth in a per-  
7           formance agreement. A bonus may not cause the  
8           Administrator’s total aggregate compensation in a  
9           calendar year to equal or exceed the amount of the  
10          President’s salary under section 102 of title 3,  
11          United States Code.”.

12 **SEC. 9. NATIONAL AIRSPACE REDESIGN.**

13          (a) FINDINGS RELATING TO THE NATIONAL AIR-  
14          SPACE.—The Congress makes the following additional  
15          findings:

16               (1) The National airspace, comprising more  
17               than 29 million square miles, handles more than  
18               55,000 flights per day.

19               (2) Almost 2,000,000 passengers per day tra-  
20               verse the United States through 20 major en route  
21               centers including more than 700 different sectors.

22               (3) Redesign and review of the National air-  
23               space may produce benefits for the travelling public  
24               by increasing the efficiency and capacity of the air  
25               traffic control system and reducing delays.



1 Federal Aviation Administration. The report shall include  
2 a specific date for completion and implementation of the  
3 cost allocation system throughout the agency and shall  
4 also include the timetable and plan for the implementation  
5 of a cost management system.

6 (b) INDEPENDENT ASSESSMENT.—

7 (1) IN GENERAL.—The Inspector General of  
8 the Department of Transportation shall conduct the  
9 assessments described in this subsection. To conduct  
10 the assessments, the Inspector General may use the  
11 staff and resources of the Inspector General or con-  
12 tract with one or more independent entities.

13 (2) ASSESSMENT OF ADEQUACY AND ACCURACY  
14 OF FEDERAL AVIATION ADMINISTRATION COST DATA  
15 AND ATTRIBUTIONS.—

16 (A) IN GENERAL.—The Inspector General  
17 shall conduct an assessment to ensure that the  
18 method for calculating the overall costs of the  
19 Federal Aviation Administration and attrib-  
20 uting such costs to specific users is appropriate,  
21 reasonable, and understandable to the users.

22 (B) COMPONENTS.—In conducting the as-  
23 sessment under this paragraph, the Inspector  
24 General shall assess the Federal Aviation Ad-  
25 ministration's definition of the services to which

1 the Federal Aviation Administration ultimately  
2 attributes its costs.

3 (3) COST EFFECTIVENESS.—

4 (A) IN GENERAL.—The Inspector General  
5 shall assess the progress of the Federal Avia-  
6 tion Administration in cost and performance  
7 management, including use of internal and ex-  
8 ternal benchmarking in improving the perform-  
9 ance and productivity of the Federal Aviation  
10 Administration.

11 (B) ANNUAL REPORTS.—Not later than  
12 December 31, 2000, the Inspector General shall  
13 transmit to Congress an updated report con-  
14 taining the results of the assessment conducted  
15 under this paragraph.

16 (C) INFORMATION TO BE INCLUDED IN  
17 FEDERAL AVIATION ADMINISTRATION FINAN-  
18 CIAL REPORT.—The Administrator shall include  
19 in the annual financial report of the Federal  
20 Aviation Administration information on the per-  
21 formance of the Administration sufficient to  
22 permit users and others to make an informed  
23 evaluation of the progress of the Administration  
24 in increasing productivity.

1 **SEC. 11. AIR TRAFFIC MODERNIZATION PILOT PROGRAM.**

2 (a) IN GENERAL.—Chapter 445 is amended by add-  
3 ing at the end thereof the following:

4 **“§ 44516. Air traffic modernization joint venture**  
5 **pilot program**

6 “(a) PURPOSE.—It is the purpose of this section to  
7 improve aviation safety and enhance mobility of the na-  
8 tion’s air transportation system by facilitating the use of  
9 joint ventures and innovative financing, on a pilot pro-  
10 gram basis, between the Federal Aviation Administration  
11 and industry, to accelerate investment in critical air traffic  
12 control facilities and equipment.

13 “(b) DEFINITIONS.—As used in this section:

14 “(1) ASSOCIATION.—The term ‘Association’  
15 means the Air Traffic Modernization Association es-  
16 tablished by this section.

17 “(2) PANEL.—The term ‘panel’ means the exec-  
18 utive panel of the Air Traffic Modernization Associa-  
19 tion.

20 “(3) OBLIGOR.—The term ‘obligor’ means a  
21 public airport, an air carrier or foreign air carrier,  
22 or a consortium consisting of 2 or more of such enti-  
23 ties.

24 “(4) ELIGIBLE PROJECT.—The term ‘eligible  
25 project’ means a project relating to the nation’s air  
26 traffic control system that promotes safety, effi-

1       ciency or mobility, and is included in the Airway  
2       Capital Investment Plan required by section 44502,  
3       including—

4               “(A) airport-specific air traffic facilities  
5               and equipment, including local area augmenta-  
6               tion systems, instrument landings systems,  
7               weather and wind shear detection equipment,  
8               lighting improvements and control towers;

9               “(B) automation tools to effect improve-  
10              ments in airport capacity, including passive  
11              final approach spacing tools and traffic man-  
12              agement advisory equipment; and

13              “(C) facilities and equipment that enhance  
14              airspace control procedures, including consolida-  
15              tion of terminal radar control facilities and  
16              equipment, or assist in en route surveillance, in-  
17              cluding oceanic and off-shore flight tracking.

18              “(5) SUBSTANTIAL COMPLETION.—The term  
19              ‘substantial completion’ means the date upon which  
20              a project becomes available for service.

21              “(c) AIR TRAFFIC MODERNIZATION ASSOCIATION.—

22              (1) IN GENERAL.—There may be established in  
23              the District of Columbia a private, not for profit cor-  
24              poration, which shall be known as the Air Traffic  
25              Modernization Association, for the purpose of pro-

1       viding assistance to obligors through arranging lease  
2       and debt financing of eligible projects.

3           “(2) NON-FEDERAL ENTITY.—The Association  
4       shall not be an agency, instrumentality or establish-  
5       ment of the United States Government and shall not  
6       be a ‘wholly-owned Government controlled corpora-  
7       tion’ as defined in section 9101 of title 31, United  
8       States Code. No action under section 1491 of title  
9       28, United States Code, shall be allowable against  
10      the United States based on the actions of the Asso-  
11      ciation.

12           “(3) EXECUTIVE PANEL.—

13           “(A) The Association shall be under the di-  
14      rection of an executive panel made up of 3  
15      members, as follows:

16           “(i) 1 member shall be an employee of  
17      the Federal Aviation Administration to be  
18      appointed by the Administrator;

19           “(ii) 1 member shall be a representa-  
20      tive of commercial air carriers, to be ap-  
21      pointed by the Management Advisory  
22      Council; and

23           “(iii) 1 member shall be a representa-  
24      tive of operators of primary airports, to be

1 appointed by the Management Advisory  
2 Council.

3 “(B) The panel shall elect from among its  
4 members a chairman who shall serve for a term  
5 of 1 year and shall adopt such bylaws, policies,  
6 and administrative provisions as are necessary  
7 to the functioning of the Association.

8 “(4) POWERS, DUTIES AND LIMITATIONS.—Con-  
9 sistent with sound business techniques and provisions of  
10 this chapter, the Association is authorized—

11 “(A) to borrow funds and enter into lease  
12 arrangements as lessee with other parties relat-  
13 ing to the financing of eligible projects, pro-  
14 vided that any public debt issuance shall be  
15 rated investment grade by a nationally recog-  
16 nized statistical rating organization;

17 “(B) to lend funds and enter into lease ar-  
18 rangements as lessor with obligors, but—

19 “(i) the term of financing offered by  
20 the Association shall not exceed the useful  
21 life of the eligible project being financed,  
22 as estimated by the Administrator; and

23 “(ii) the aggregate amount of com-  
24 bined debt and lease financing provided

1 under this subsection for air traffic control  
2 facilities and equipment—

3 “(I) may not exceed  
4 \$500,000,000 per fiscal year for fiscal  
5 years 2000, 2001, and 2002;

6 “(II) shall be used for not more  
7 than 10 projects; and

8 “(III) may not provide funding in  
9 excess of \$50,000,000 for any single  
10 project; and

11 “(C) to exercise all other powers that  
12 are necessary and proper to carry out the  
13 purposes of this section.

14 “(5) PROJECT SELECTION CRITERIA.—In se-  
15 lecting eligible projects from applicants to be funded  
16 under this section, the Association shall consider the  
17 following criteria:

18 “(A) The eligible project’s contribution to  
19 the national air transportation system, as out-  
20 lined in the Federal Aviation Administration’s  
21 modernization plan for alleviating congestion,  
22 enhancing mobility, and improving safety.

23 “(B) The credit-worthiness of the revenue  
24 stream pledged by the obligor.

1           “(C) The extent to which assistance by the  
2           Association will enable the obligor to accelerate  
3           the date of substantial completion of the  
4           project.

5           “(D) The extent of economic benefit to be  
6           derived within the aviation industry, including  
7           both public and private sectors.

8           “(d) AUTHORITY TO ENTER INTO JOINT VEN-  
9           TURE.—

10           (1) IN GENERAL.—Subject to the conditions set  
11           forth in this section, the Administrator of the Fed-  
12           eral Aviation Administration is authorized to enter  
13           into a joint venture, on a pilot program basis, with  
14           Federal and non-Federal entities to establish the Air  
15           Traffic Modernization Association described in sub-  
16           section (c) for the purpose of acquiring, procuring or  
17           utilizing of air traffic facilities and equipment in ac-  
18           cordance with the Airway Capital Investment Plan.

19           “(2) COST SHARING.—The Administrator is au-  
20           thorized to make payments to the Association from  
21           amounts available under section 4801(a) of this title,  
22           provided that the agency’s share of an annual pay-  
23           ment for a lease or other financing agreement does  
24           not exceed the direct or imputed interest portion of  
25           each annual payment for an eligible project. The

1 share of the annual payment to be made by an obli-  
2 gor to the lease or other financing agreement shall  
3 be in sufficient amount to amortize the asset cost.  
4 If the obligor is an airport sponsor, the sponsor may  
5 use revenue from a passenger facility fee, provided  
6 that such revenue does not exceed 25 cents per en-  
7 planed passenger per year.

8 “(3) PROJECT SPECIFICATIONS.—The Adminis-  
9 trator shall have the sole authority to approve the  
10 specifications, staffing requirements, and operating  
11 and maintenance plan for each eligible project, tak-  
12 ing into consideration the recommendations of the  
13 Air Traffic Services Subcommittee of the Manage-  
14 ment Advisory Council.

15 “(e) INCENTIVES FOR PARTICIPATION.—An airport  
16 sponsor that enters into a lease or financial arrangement  
17 financed by the Air Traffic Modernization Association may  
18 use its share of the annual payment as a credit toward  
19 the non-Federal matching share requirement for any  
20 funds made available to the sponsor for airport develop-  
21 ment projects under chapter 471 of this title.

22 “(f) UNITED STATES NOT OBLIGATED.—The con-  
23 tribution of Federal funds to the Association pursuant to  
24 subsection (d) of this section shall not be construed as  
25 a commitment, guarantee, or obligation on the part of the

1 United States to any third party, nor shall any third party  
2 have any right against the United States by virtue of the  
3 contribution. The obligations of the Association do not  
4 constitute any commitment, guarantee or obligation of the  
5 United States.

6 “(g) REPORT TO CONGRESS.—Not later than 3 years  
7 after establishment of the Association, the Administrator  
8 shall provide a comprehensive and detailed report to the  
9 Senate Committee on Commerce, Science, and Transpor-  
10 tation and the House Committee on Transportation and  
11 Infrastructure on the Association’s activities including—

12 “(1) an assessment of the Association’s effec-  
13 tiveness in accelerating the modernization of the air  
14 traffic control system;

15 “(2) a full description of the projects financed  
16 by the Association and an evaluation of the benefits  
17 to the aviation community and general public of  
18 such investment; and

19 “(3) recommendations as to whether this pilot  
20 program should be expanded or other strategies  
21 should be pursued to improve the safety and effi-  
22 ciency of the nation’s air transportation system.

23 “(h) AUTHORIZATION.—Not more than the following  
24 amounts may be appropriated to the Administrator from  
25 amounts made available under section 4801(a) of this title

1 for the agency's share of the organizational and adminis-  
 2 trative costs for the Air Traffic Modernization Association:

3           “(1) \$500,000 for fiscal year 2000;

4           “(2) \$500,000 for fiscal year 2001; and

5           “(3) \$500,000 for fiscal year 2002.

6           “(i) RELATIONSHIP TO OTHER AUTHORITIES.—

7 Nothing in this section is intended to limit or diminish  
 8 existing authorities of the Administrator to acquire, estab-  
 9 lish, improve, operate, and maintain air navigation facili-  
 10 ties and equipment.”.

11           (b) CONFORMING AMENDMENTS.—

12           (1) Section 40117(b)(1) is amended by striking  
 13 “controls.” and inserting “controls, or to finance an  
 14 eligible project through the Air Traffic Moderniza-  
 15 tion Association in accordance with section 44516 of  
 16 this title.”.

17           (2) The analysis for chapter 445 is amended by  
 18 adding at the end the following:

“44516. Air traffic modernization pilot program.”.

19 **SEC. 12. EMERGENCY AUTHORIZATION FOR AIR NAVIGA-**  
 20 **TION FACILITIES AND EQUIPMENT.**

21 Section 48101(a) is amended—

22           (1) by striking “a total of the following  
 23 amounts” and inserting \$100,000,000 for fiscal year  
 24 2000 to fund critically needed, and already devel-  
 25 oped, air traffic control equipment that can be effi-

1       ciently installed into the National airspace to more  
2       safely and efficiently move traffic”; and

3               (2) striking “title:” and all that follows and in-  
4       serting “title.”.

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