

(Pub. L. 101-425, §9, Oct. 15, 1990, 104 Stat. 919.)

§ 5309. Reporting

At the time the President's annual budget request for the Department is submitted, the Secretary shall provide to Congress a detailed review of the progress of the research and development activities authorized under this chapter.

(Pub. L. 101-425, §10, Oct. 15, 1990, 104 Stat. 919.)

CHAPTER 80—FASTENERS

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§ 5401. Findings and purpose

(a) Findings

The Congress finds that—

- (1) the American economy uses billions of fasteners each year;
- (2) millions of mismarked, substandard, counterfeit, and other nonconforming fasteners have been sold in commerce to end-users in the United States, and their use has dramatically increased the risk of equipment and infrastructure failures;
- (3) both the military and civilian sectors of the economy have encountered unnecessary,

unwarranted, and dangerous equipment and construction failures, as well as extraordinary expenses, as a result of the use of nonconforming fasteners;

(4) the sale in commerce of nonconforming fasteners and the use of nonconforming fasteners in numerous critical applications have reduced the combat readiness of the Nation's military forces, endangered the safety of other Federal projects and activities, and cost both the public and private sectors large sums in connection with the retesting and purging of fastener inventories;

(5) the purchase and use of nonconforming fasteners stem from material misrepresentations about such fasteners made by certain manufacturers, importers, and distributors engaged in commerce;

(6) current fastener standards of measurement evaluate bolts and other fasteners according to multiple criteria, including strength, hardness, and composition, and provide grade identification markings on fasteners to make the characteristics of individual fasteners clear to purchasers and users;

(7) current tests required by consensus standards, designed to ensure that fasteners are of standard measure, are adequate and appropriate for use as standards in a program of high-strength fastener testing;

(8) the lack of traceability by lot number of fasteners sold in commerce is a serious impediment to effective quality control efforts; and

(9) the health and safety of Americans is threatened by the widespread sale in commerce of mismarked, substandard, and counterfeit fasteners, a practice which also harms American manufacturers, importers, and distributors of safe and conforming fasteners, and workers in the American fastener industry.

(b) Purpose

In order to protect public safety, to deter the introduction of nonconforming fasteners into commerce, to improve the traceability of fasteners used in critical applications, and generally to provide commercial and governmental customers with greater assurance that fasteners meet stated specifications, it is the purpose of this chapter to create procedures for the testing, certification, and distribution of certain fasteners used in commerce within the United States.

(Pub. L. 101-592, §2, Nov. 16, 1990, 104 Stat. 2943.)

SHORT TITLE

Section 1 of Pub. L. 101-592 provided that: "This Act [enacting this chapter] may be cited as the 'Fastener Quality Act'."

§ 5402. Definitions

As used in this chapter, the term—

- (1) "alter" means to alter—
 - (A) by through-hardening,
 - (B) by electroplating of fasteners having a minimum tensile strength of 150,000 pounds per square inch, or
 - (C) by machining;
- (2) "consensus standards organization" means the American Society for Testing and