

118TH CONGRESS
1ST SESSION

S. 1965

To prohibit airport improvement grants funds from being used for contracts with entities that have violated intellectual property rights of United States entities.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2023

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

A BILL

To prohibit airport improvement grants funds from being used for contracts with entities that have violated intellectual property rights of United States entities.

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 “Airport Infrastructure
5 Resources Security Act of 2023” or the “AIR Security
6 Act”.

1 **SEC. 2. PROHIBITION ON PROVISION OF AIRPORT IM-**
2 **PROVEMENT GRANT FUNDS TO CERTAIN EN-**
3 **TITIES THAT HAVE VIOLATED INTELLECTUAL**
4 **PROPERTY RIGHTS OF UNITED STATES ENTI-**
5 **TIES.**

6 (a) IN GENERAL.—During the period beginning on
7 the date that is 30 days after the date of the enactment
8 of this Act, amounts provided as project grants under sub-
9 chapter I of chapter 471 of title 49, United States Code,
10 may not be used to enter into a contract described in sub-
11 section (b) with any entity on the list required by sub-
12 section (c).

13 (b) CONTRACT DESCRIBED.—A contract described in
14 this subsection is a contract or other agreement for the
15 procurement of infrastructure or equipment for a pas-
16 senger boarding bridge at an airport.

17 (c) LIST REQUIRED.—

18 (1) IN GENERAL.—Not later than 30 days after
19 the date of enactment of this Act, and thereafter as
20 required by paragraph (2), the United States Trade
21 Representative, the Attorney General, and the Ad-
22 ministrator of the Federal Aviation Administration
23 shall make available a publicly-available a list of en-
24 tities manufacturing airport passenger boarding in-
25 frastructure or equipment that—

1 (A) are owned, directed by, or subsidized
2 in whole, or in part by the People's Republic of
3 China;

4 (B) have been determined by a Federal
5 court to have misappropriated intellectual prop-
6 erty or trade secrets from an entity organized
7 under the laws of the United States or any ju-
8 risdiction within the United States;

9 (C) own or control, are owned or controlled
10 by, are under common ownership or control
11 with, or are successors to, an entity described
12 in subparagraph (A);

13 (D) own or control, are under common
14 ownership or control with, or are successors to,
15 an entity described in subparagraph (A); or

16 (E) have entered into an agreement with
17 or accepted funding from, whether in the form
18 of minority investment interest or debt, have
19 entered into a partnership with, or have entered
20 into another contractual or other written ar-
21 rangement with, an entity described in subpara-
22 graph (A).

23 (2) UPDATES TO LIST.—The United States
24 Trade Representative shall update the list required
25 by paragraph (1), based on information provided by

1 the Attorney General and the Administrator of the
2 Federal Aviation Administration—

3 (A) not less frequently than every 90 days
4 during the 180-day period following the initial
5 publication of the list under paragraph (1); and

6 (B) not less frequently than annually
7 thereafter.

8 (d) DEFINITIONS.—In this section, the definitions in
9 section 47102 of title 49, United States Code, shall apply.

○