

AMENDMENT TO
RULES COMMITTEE PRINT 118-11
OFFERED BY MR. JOHNSON OF SOUTH DAKOTA

At the end of title VIII, add the following:

1 **SEC. 8 _____ . PREVENTING CERTIFICATION OF CERTAIN**
2 **AIRCRAFT DEVELOPED OR PRODUCED USING**
3 **STOLEN U.S. INTELLECTUAL PROPERTY OR**
4 **FORCED TECHNOLOGY TRANSFER FROM A**
5 **PERSON OF THE UNITED STATES.**

6 (a) IN GENERAL.—The Administrator of the Federal
7 Aviation Administration may not issue a validated type
8 certificate for a foreign aircraft pursuant to section 44704
9 or 44705 of title 49, United States Code, that is—

10 (1) produced or developed by a covered nation
11 entity; and

12 (2) contains technology, equipment, or other ar-
13 ticles containing, or is produced or developed
14 using—

15 (A) technology that infringes a valid and
16 enforceable United States patent or a valid and
17 enforceable United States copyright registered
18 under title 17, United States Code;

1 (B) an infringing semiconductor chip prod-
2 uct as that term is defined in section 901 of
3 title 17, United States Code;

4 (C) a semiconductor chip produced in a
5 manner that constitutes infringement of a mask
6 work registered under chapter 9 of title 17,
7 United States Code;

8 (D) as determined by an investigation
9 under section 301 of the Trade Act of 1974 (19
10 U.S.C. 2411), technology acquired because a
11 covered nation imposed investment restrictions
12 or discriminatory restrictions on contractual in-
13 tellectual property licensing to pressure a
14 United States person into transferring its tech-
15 nology to an entity subject to the jurisdiction,
16 direction, or control of a covered nation; or

17 (E) the misappropriation or theft of a
18 trade secret under section 1832 or 1836 of title
19 18, United States Code.

20 (b) DEFINITIONS.—In this section:

21 (1) CONTROL.—The term “control” has the
22 meaning given such term in section 800.208 of title
23 31, Code of Federal Regulations, or any successor
24 regulation.

1 (2) COVERED NATION.—The term “covered na-
2 tion” has the meaning given such term in section
3 4872(d)(2) of title 10, United States Code.

4 (3) COVERED NATION ENTITY.—The term “cov-
5 ered nation entity” means any entity that is subject
6 to the jurisdiction, direction, or control of the gov-
7 ernment of a covered nation.

