

118TH CONGRESS
1ST SESSION

S. _____

To require the designation of certain airports as ports of entry.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To require the designation of certain airports as ports of
entry.

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 “Border Airport Fair-
5 ness Act of 2023”.

6 **SEC. 2. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF**
7 **ENTRY.**

8 (a) IN GENERAL.—The President shall—

9 (1) pursuant to the Act of August 1, 1914 (38
10 Stat. 623, chapter 223; 19 U.S.C. 2), designate each

1 airport described in subsection (b) as a port of
2 entry; and

3 (2) terminate the application of the user fee re-
4 quirement under section 236 of the Trade and Tar-
5 iff Act of 1984 (19 U.S.C. 58b) with respect to the
6 airport.

7 (b) AIRPORTS DESCRIBED.—An airport described in
8 this subsection is an airport that—

9 (1) is a primary airport (as defined in section
10 47102 of title 49, United States Code);

11 (2) is located not more than 30 miles from the
12 northern or southern international land border of
13 the United States;

14 (3) is associated, through a formal, legal instru-
15 ment, including a valid contract or governmental or-
16 dinance, with a land border crossing or a seaport not
17 more than 30 miles from the airport; and

18 (4) through such association, meets the numer-
19 ical criteria considered by U.S. Customs and Border
20 Protection for establishing a port of entry, as set
21 forth in—

22 (A) Treasury Decision 82–37 (47 Fed.
23 Reg. 10137; relating to revision of customs cri-
24 teria for establishing ports of entry and sta-
25 tions), as revised by Treasury Decisions 86–14

1 (51 Fed. Reg. 4559) and 87-65 (52 Fed. Reg.
2 16328); or
3 (B) any successor guidance or regulation.