

111th CONGRESS

2d Session

H. R. 6410

To improve air cargo security.

IN THE HOUSE OF REPRESENTATIVES

**November 16, 2010**

Mr. MARKEY of Massachusetts (for himself, Mrs. LOWEY, Mrs. MALONEY, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Homeland Security

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A BILL

To improve air cargo security.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ‘Air Cargo Security Act’.

**SEC. 2. INSPECTION OF CARGO CARRIED ABOARD ALL-CARGO AIRCRAFT.**

[Section 44901 of title 49, United States Code](#), is amended--

(1) by redesignating subsections ‘(g)’ and ‘(h)’ as subsections ‘(h)’ and ‘(i)’, respectively; and

(2) by inserting after subsection (f) the following:

‘(g) Air Cargo on All-Cargo Aircraft-

‘(1) IN GENERAL- The Secretary of Homeland Security shall establish systems to inspect cargo to ensure the security of all such cargo transported in all-cargo aircraft operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation.

‘(2) MINIMUM STANDARDS- The systems referred to in paragraph (1) shall require, at a minimum, that equipment, technology, procedures, personnel or other methods approved by the Administrator of the Transportation Security Administration, are used to screen cargo carried on all-cargo aircraft by such a carrier to provide a level of security commensurate with the level of security for the screening of passenger checked baggage in accordance to the implementation schedule set forth in paragraph (3).

‘(3) IMPLEMENTATION SCHEDULE- The Secretary shall ensure that--

‘(A) not later than 18 months after the date of enactment of the Air Cargo Security Act, 50 percent of cargo described in paragraph (1) is screened; and

‘(B) not later than 3 years after the date of enactment of such Act, 100 percent of such cargo is screened.

‘(4) RESEARCH AND DEVELOPMENT OF NEW TECHNOLOGIES- The Secretary shall monitor and evaluate the research and development of effective cargo screening technologies.’.

### **SEC. 3. AIR CARGO SHIPPING.**

(a) In General- Subchapter I of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

#### **‘Sec. 44922. Regular inspections of air cargo shipping facilities**

‘(a) Regular Inspections- Not later than 30 days after the date of enactment of the Air Cargo Security Act, the Secretary of Homeland Security shall--

‘(1) establish a system for the regular inspection of shipping facilities for shipments of cargo transported in air transportation or intrastate air transportation to ensure that appropriate security controls, systems, and protocols are observed; and

‘(2) enter into arrangements with the civil aviation authorities, or other appropriate officials, of foreign countries to ensure that inspections are conducted on a regular basis at shipping facilities for cargo transported in air transportation to the United States.

‘(b) Screening Methods- In this section, ‘screening’ means using the methods of screening described in section 44901(g).

‘(c) Reports- Not later than 210 days after the date of enactment of the Air Cargo Security Act and each year thereafter, the Secretary shall transmit to Congress a report that states--

‘(1) the number of shipping facilities that have been inspected;

‘(2) the number of facilities that are not in compliance with appropriate security controls, systems, and protocols;

‘(3) specific consequences imposed for a facility not in compliance as determined by the Secretary; and

‘(4) the number of arrangements entered into with civilian authorities, other appropriate officials, of foreign countries to ensure regular inspections are conducted for cargo transported in air transportation to the United States.’.

(b) Additional Inspectors- The Secretary may increase the number of inspectors as necessary to implement the requirements of title 49, United States Code, as ‘amended’ by this Act.

(c) Conforming Amendment- The chapter analysis for chapter 449 of title 49, United States Code, is amended by adding at the end the following:

‘44922. Regular inspections of air cargo shipping facilities.’.

**SEC. 4. TRAINING PROGRAM FOR CARGO HANDLERS.**

The Secretary of Homeland Security shall establish a training and evaluation program for any persons that handle air cargo to ensure that the cargo is properly handled and safeguarded from security breaches.

**SEC. 5. EFFECTIVE DATE.**

Except as otherwise provided, this Act and the amendments made in this Act shall take effect 180 days after the date of enactment of this Act.