

111TH CONGRESS  
2D SESSION

# H. R. 6410

To improve air cargo security.

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## 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.

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 “Air Cargo Security  
5       Act”.

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

8       Section 44901 of title 49, United States Code, is  
9       amended—

1           (1) by redesignating subsections “(g)” and  
2           “(h)” as subsections “(h)” and “(i)”, respectively;  
3           and

4           (2) by inserting after subsection (f) the fol-  
5           lowing:

6           “(g) AIR CARGO ON ALL-CARGO AIRCRAFT.—

7           “(1) IN GENERAL.—The Secretary of Homeland  
8           Security shall establish systems to inspect cargo to  
9           ensure the security of all such cargo transported in  
10          all-cargo aircraft operated by an air carrier or for-  
11          eign air carrier in air transportation or intrastate air  
12          transportation.

13          “(2) MINIMUM STANDARDS.—The systems re-  
14          ferred to in paragraph (1) shall require, at a min-  
15          imum, that equipment, technology, procedures, per-  
16          sonnel or other methods approved by the Adminis-  
17          trator of the Transportation Security Administra-  
18          tion, are used to screen cargo carried on all-cargo  
19          aircraft by such a carrier to provide a level of secu-  
20          rity commensurate with the level of security for the  
21          screening of passenger checked baggage in accord-  
22          ance to the implementation schedule set forth in  
23          paragraph (3).

24          “(3) IMPLEMENTATION SCHEDULE.—The Sec-  
25          retary shall ensure that—

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

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

8 “(4) RESEARCH AND DEVELOPMENT OF NEW  
9 TECHNOLOGIES.—The Secretary shall monitor and  
10 evaluate the research and development of effective  
11 cargo screening technologies.”.

12 **SEC. 3. AIR CARGO SHIPPING.**

13 (a) IN GENERAL.—Subchapter I of chapter 449 of  
14 title 49, United States Code, is amended by adding at the  
15 end the following:

16 **“§ 44922. Regular inspections of air cargo shipping**  
17 **facilities**

18 “(a) REGULAR INSPECTIONS.—Not later than 30  
19 days after the date of enactment of the Air Cargo Security  
20 Act, the Secretary of Homeland Security shall—

21 “(1) establish a system for the regular inspec-  
22 tion of shipping facilities for shipments of cargo  
23 transported in air transportation or intrastate air  
24 transportation to ensure that appropriate security  
25 controls, systems, and protocols are observed; and

1           “(2) enter into arrangements with the civil  
2           aviation authorities, or other appropriate officials, of  
3           foreign countries to ensure that inspections are con-  
4           ducted on a regular basis at shipping facilities for  
5           cargo transported in air transportation to the United  
6           States.

7           “(b) SCREENING METHODS.—In this section, ‘screen-  
8           ing’ means using the methods of screening described in  
9           section 44901(g).

10          “(c) REPORTS.—Not later than 210 days after the  
11          date of enactment of the Air Cargo Security Act and each  
12          year thereafter, the Secretary shall transmit to Congress  
13          a report that states—

14               “(1) the number of shipping facilities that have  
15               been inspected;

16               “(2) the number of facilities that are not in  
17               compliance with appropriate security controls, sys-  
18               tems, and protocols;

19               “(3) specific consequences imposed for a facility  
20               not in compliance as determined by the Secretary;  
21               and

22               “(4) the number of arrangements entered into  
23               with civilian authorities, other appropriate officials,  
24               of foreign countries to ensure regular inspections are

1       conducted for cargo transported in air transpor-  
2       tation to the United States.”.

3       (b) **ADDITIONAL INSPECTORS.**—The Secretary may  
4       increase the number of inspectors as necessary to imple-  
5       ment the requirements of title 49, United States Code,  
6       as “amended” by this Act.

7       (c) **CONFORMING AMENDMENT.**—The chapter anal-  
8       ysis for chapter 449 of title 49, United States Code, is  
9       amended by adding at the end the following:

“44922. Regular inspections of air cargo shipping facilities.”.

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

11       The Secretary of Homeland Security shall establish  
12       a training and evaluation program for any persons that  
13       handle air cargo to ensure that the cargo is properly han-  
14       dled and safeguarded from security breaches.

15   **SEC. 5. EFFECTIVE DATE.**

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

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