

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3954

To improve air cargo security.

---

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2010

Mr. CASEY introduced the following bill; which was read twice and referred  
to the Committee on Commerce, Science, and Transportation

---

## 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(f) of title 49, United States Code, is  
9 amended to read as follows:

10 “(f) AIR CARGO ON ALL-CARGO AIRCRAFT.—

11 “(1) IN GENERAL.—The Secretary of Homeland  
12 Security shall establish a system for screening and

1 inspecting all cargo transported in all-cargo aircraft  
2 operated by an air carrier or foreign air carrier in  
3 air transportation or intrastate air transportation to  
4 ensure the security of such aircraft.

5 “(2) MINIMUM STANDARDS.—The system re-  
6 ferred to in paragraph (1) shall require that equip-  
7 ment, technology, procedures, personnel, and other  
8 methods approved by the Administrator of the  
9 Transportation Security Administration that are  
10 used for screening cargo transported in all-cargo air-  
11 craft provide a level of security commensurate with  
12 the level of security provided for screening passenger  
13 checked baggage, in accordance with the implemen-  
14 tation schedule set forth in paragraph (3).

15 “(3) IMPLEMENTATION SCHEDULE.—The Sec-  
16 retary shall ensure that—

17 “(A) beginning not later than 18 months  
18 after the date of the enactment of the Air  
19 Cargo Security Act, at least 50 percent of the  
20 cargo described in paragraph (1) is screened in  
21 accordance with the inspection system estab-  
22 lished under this subsection; and

23 “(B) beginning not later than 3 years after  
24 the date of the enactment of such Act, 100 per-

1 cent of such cargo is screened in accordance  
2 with such system.

3 “(4) RESEARCH AND DEVELOPMENT OF NEW  
4 TECHNOLOGIES.—The Secretary shall monitor and  
5 evaluate the research and development of effective  
6 cargo screening technologies.”.

7 **SEC. 3. AIR CARGO SHIPPING.**

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

11 **“§ 44927. Regular inspections of air cargo shipping**  
12 **facilities**

13 “(a) REGULAR INSPECTIONS.—Not later than 30  
14 days after the date of the enactment of the Air Cargo Se-  
15 curity Act, the Secretary of Homeland Security—

16 “(1) shall establish a system for regularly  
17 screening and inspecting shipments of cargo trans-  
18 ported in air transportation or intrastate air trans-  
19 portation at shipping facilities to ensure that appro-  
20 priate security controls, systems, and protocols are  
21 observed; and

22 “(2) in consultation with the Secretary of State,  
23 shall enter into arrangements with civil aviation au-  
24 thorities, or other appropriate officials, of foreign  
25 countries to ensure the regular screening and inspec-

1       tion of cargo to be transported in air transportation  
2       to the United States at shipping facilities in such  
3       countries.

4       “(b) DEFINED TERM.—In this section, the term  
5 ‘screening’ means using the air cargo inspection proce-  
6 dures required under section 44901(f).

7       “(c) REPORTS.—Not later than 210 days after the  
8 date of the enactment of the Air Cargo Security Act, and  
9 annually thereafter, the Secretary of Homeland Security  
10 shall submit a report to Congress that describes—

11           “(1) the number of shipping facilities that have  
12       been inspected in accordance with subsection (a)(1);

13           “(2) the number of such facilities that are not  
14       in compliance with required security controls, sys-  
15       tems, and protocols;

16           “(3) the specific consequences imposed upon  
17       each facility that the Secretary determined was not  
18       in compliance with the system established under sub-  
19       section (a)(1); and

20           “(4) the countries with which the Secretary has  
21       entered into arrangements to ensure regular  
22       screenings and inspections of cargo transported in  
23       air transportation to the United States.”.

24       (b) ADDITIONAL INSPECTORS.—The Secretary may  
25       increase the number of air cargo inspectors to the extent

1 necessary to carry out the screenings and inspections re-  
2 quired by sections 44901(f) and 44927 of title 49, United  
3 States Code, as added by this Act.

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

“44927. Regular inspections of air cargo shipping facilities.”.

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

8 Section 44935 of title 49, United States Code, is  
9 amended—

10 (1) by redesignating subsection (i) (as added by  
11 section 3(b) of the Airport Security Improvement  
12 Act of 2000 (Public Law 106–528; 114 Stat. 2520),  
13 and redesignated by section 111(a)(1) of the Avia-  
14 tion and Transportation Security Act (Public Law  
15 107–71; 115 Stat. 616)), as subsection (k); and

16 (2) by adding at the end the following:

17 “(l) TRAINING PROGRAM FOR CARGO HANDLERS.—  
18 The Secretary of Homeland Security shall establish a  
19 training and evaluation program for all individuals that  
20 handle air cargo to ensure that such cargo is properly han-  
21 dled and safeguarded from security breaches.”.

22 **SEC. 5. EFFECTIVE DATE.**

23 Except as otherwise provided, this Act and the  
24 amendments made by this Act shall take effect on the date

1 that is 180 days after the date of the enactment of this  
2 Act.

○