

109TH CONGRESS
1ST SESSION

H. R. 2044

To improve air cargo security.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2005

Mr. MARKEY (for himself and Mr. SHAYS) introduced the following bill; which
was referred to the Committee on Homeland Security

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 Act.

5 **SEC. 2. INSPECTION OF CARGO CARRIED ABOARD AIR-**
6 **CRAFT.**

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

9 (1) by redesignating subsections “(g)” and
10 “(h)” as subsections “(h)” and “(i)”, respectively;
11 and

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

3 “(g) AIR CARGO ON AIRCRAFT.—

4 “(1) IN GENERAL.—The Secretary of Homeland
5 Security shall establish systems to inspect cargo to
6 ensure the security of all such cargo transported in
7 aircraft operated by an air carrier or foreign air car-
8 rier in air transportation or intrastate air transpor-
9 tation. Such systems shall use equipment, tech-
10 nology, and personnel to inspect cargo that, at a
11 minimum, meet the same standards established to
12 inspect passenger baggage.

13 “(2) IMPLEMENTATION PLAN.—The Secretary
14 shall develop an implementation plan to carry out
15 paragraph (1).

16 “(3) RESEARCH AND DEVELOPMENT OF NEW
17 TECHNOLOGIES.—The Secretary shall monitor and
18 evaluate the research and development of effective
19 cargo screening technologies.”.

20 **SEC. 3. AIR CARGO SHIPPING.**

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

1 **“§ 44922. Regular inspections of air cargo shipping**
2 **facilities**

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

6 “(1) establish a system for the regular inspec-
7 tion of shipping facilities for shipments of cargo
8 transported in air transportation or intrastate air
9 transportation to ensure that appropriate security
10 controls, systems, and protocols are observed; and

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

17 “(b) REPORTS.—Not later than 210 days after the
18 date of enactment of the Air Cargo Security Act and each
19 year thereafter, the Secretary shall transmit to Congress
20 a report that states—

21 “(1) the number of shipping facilities that have
22 been inspected;

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

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

4 “(4) the number of arrangements entered into
5 with civilian authorities, other appropriate officials,
6 of foreign countries to ensure regular inspections are
7 conducted for cargo transported in air transpor-
8 tation to the United States.”.

9 (b) **ADDITIONAL INSPECTORS.**—The Secretary may
10 increase the number of inspectors as necessary to imple-
11 ment the requirements of title 49, United States Code,
12 as amended by this Act.

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

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

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

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

21 **SEC. 5. EFFECTIVE DATE.**

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