HR 1010 IH

108th CONGRESS

1st Session

H. R. 1010

To amend title 46, United States Code, to require inspection of cargo destined for the United States.

IN THE HOUSE OF REPRESENTATIVES

February 27, 2003

Mr. NADLER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means and Select Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 46, United States Code, to require inspection of cargo destined for the United States.

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 'Port Protection Act of 2003'.

SEC. 2. CONTAINERIZED CARGO INSPECTION.

(a) IN GENERAL- Subtitle II of title 46, United States Code, is amended by adding at the end the following new part:

'PART K--CARGO SECURITY

'CHAPTER 151--CONTAINERIZED AND NONCONTAINERIZED CARGO

'Sec.

'15101. Inspection of cargo containers and noncontainerized cargo destined for United States.

'15102. Inspection of container vessels prior to entry into United States port.

'15103. Denial of entry of container vessels.
Sec. 15101. Inspection of cargo containers and noncontainerized cargo destined for United States.

(a) Effective January 1, 2005, the Secretary of Homeland Security shall require for all containerized cargo destined for the United States, that each cargo container be inspected, the contents verified, and the container sealed--

(1) by personnel of the Department of Homeland Security;

(2) at a port or airport outside the United States; and

(3) before the container is loaded onto or removed from the vessel or airplane, as applicable.

(b)(1) In the case of any cargo container entering the United States by any means other than a vessel or an airplane, the Customs Service shall not permit the entry of the container without a proper and intact inspection seal of the Department of Homeland Security.

(2) The Customs Service shall not permit the entry of any noncontainerized cargo by any means other than a vessel or an airplane until it has inspected all such cargo and has verified that it does not contain a chemical, biological, or nuclear weapon.

Sec. 15102. Inspection of cargo vessels prior to entry into United States port

(a) The Commandant of the Coast Guard shall board and inspect each vessel carrying cargo destined for the United States, at least 200 miles from the United States.

(b) An inspection under this section shall include physical inspection to verify that--

(1) the cargo containers on the vessel have not been tampered with; and

(2) the remainder of the vessel, including but not limited to noncontainerized cargo, the engine room, living quarters, bathrooms, and hull, does not contain a chemical, biological, or nuclear weapon.

Sec. 15103. Denial of entry of cargo vessels

The Secretary shall deny entry into the territorial waters of the United States to any vessel that--

(1) is carrying any cargo that does not comply with the requirements under section 15101;

(2) is not inspected in accordance with section 15102; or

(3) that fails an inspection under section 15102.'.

(b) CONFORMING AMENDMENT- The table of chapters at the beginning of subtitle II of title 46, United States Code, is amended by adding at the end the following:

Part K--Cargo Security
- 151.

- Containerized and Noncontainerized Cargo

- 15101'.

END