

112TH CONGRESS
1ST SESSION

S. 860

To ensure that methodologies and technologies used by the Bureau of Customs and Border Protection to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering the United States through commercial motor vehicle transport.

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2011

Mr. LEVIN (for himself and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To ensure that methodologies and technologies used by the Bureau of Customs and Border Protection to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering the United States through commercial motor vehicle transport.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SCREENING OF MUNICIPAL SOLID WASTE.**

2 (a) DEFINITIONS.—In this section:

3 (1) BUREAU.—The term “Bureau” means the
4 Bureau of Customs and Border Protection.

5 (2) COMMERCIAL MOTOR VEHICLE.—The term
6 “commercial motor vehicle” has the meaning given
7 the term in section 31101 of title 49, United States
8 Code.

9 (3) COMMISSIONER.—The term “Commis-
10 sioner” means the Commissioner of the Bureau.

11 (4) MUNICIPAL SOLID WASTE.—The term “mu-
12 nicipal solid waste” includes sludge (as defined in
13 section 1004 of the Solid Waste Disposal Act (42
14 U.S.C. 6903)).

15 (b) REPORTS TO CONGRESS.—Not later than 90 days
16 after the date of enactment of this Act, the Commissioner
17 shall submit to Congress a report that—

18 (1) indicates whether the methodologies and
19 technologies used by the Bureau to screen for and
20 detect the presence of chemical, nuclear, biological,
21 and radiological weapons in municipal solid waste
22 are as effective as the methodologies and tech-
23 nologies used by the Bureau to screen for those ma-
24 terials in other items of commerce entering the
25 United States through commercial motor vehicle
26 transport; and

1 (2) if the report indicates that the methodolo-
2 gies and technologies used to screen municipal solid
3 waste are less effective than those used to screen
4 other items of commerce, identifies the actions that
5 the Bureau will take to achieve the same level of ef-
6 fectiveness in the screening of municipal solid waste,
7 including actions necessary to meet the need for ad-
8 ditional screening technologies.

9 (c) IMPACT ON COMMERCIAL MOTOR VEHICLES.—If
10 the Commissioner fails to fully implement an action identi-
11 fied under subsection (b)(2) before the earlier of the date
12 that is 180 days after the date on which the report under
13 subsection (b) is required to be submitted or the date that
14 is 180 days after the date on which the report is sub-
15 mitted, the Secretary shall deny entry into the United
16 States of any commercial motor vehicle carrying municipal
17 solid waste until the Secretary certifies to Congress that
18 the methodologies and technologies used by the Bureau
19 to screen for and detect the presence of chemical, nuclear,
20 biological, and radiological weapons in municipal solid
21 waste are as effective as the methodologies and tech-
22 nologies used by the Bureau to screen for those materials
23 in other items of commerce entering into the United
24 States through commercial motor vehicle transport.

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