

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.

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## 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

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## 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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