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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

# H. R. 6826

To require a pilot program on the participation of third-party logistics providers in the Customs Trade Partnership Against Terrorism, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. SLOTKIN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To require a pilot program on the participation of third-party logistics providers in the Customs Trade Partnership Against Terrorism, and for other purposes.

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 “Customs Trade Part-  
5 nership Against Terrorism Pilot Program Act of 2022”  
6 or the “CTPAT Pilot Program Act of 2022”.

1 **SEC. 2. PILOT PROGRAM ON PARTICIPATION OF THIRD-**  
2 **PARTY LOGISTICS PROVIDERS IN CTPAT.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—The Secretary of Homeland  
5 Security shall carry out a pilot program to assess  
6 whether allowing entities described in subsection (b)  
7 to participate in CTPAT would enhance port secu-  
8 rity, combat terrorism, prevent United States supply  
9 chain security breaches, or otherwise satisfy the  
10 goals of CTPAT.

11 (2) FEDERAL REGISTER NOTICE.—Not later  
12 than one year after the date of the enactment of this  
13 Act, the Secretary shall publish in the Federal Reg-  
14 ister a notice for entities described in subsection (b)  
15 to apply to participate in the pilot program required  
16 under paragraph (1).

17 (b) ENTITIES DESCRIBED.—An entity described in  
18 this subsection is—

19 (1) a non-asset-based third-party logistics pro-  
20 vider that—

21 (A) arranges international transportation  
22 of freight and is licensed or bonded by the Fed-  
23 eral Maritime Commission, the Transportation  
24 Security Administration, U.S. Customs and  
25 Border Protection, or the Department of Trans-  
26 portation; and

1 (B) satisfies such other requirements as  
2 the Secretary of Homeland Security specifies in  
3 the Federal Register notice required pursuant  
4 to subsection (a)(2); or

5 (2) an asset-based third-party logistics provider  
6 that—

7 (A) facilitates cross border activity and is  
8 licensed or bonded by the Federal Maritime  
9 Commission, the Transportation Security Ad-  
10 ministration, U.S. Customs and Border Protec-  
11 tion, or the Department of Transportation;

12 (B) manages and executes logistics services  
13 using its own warehousing assets and resources  
14 on behalf of its customers; and

15 (C) satisfies such other requirements as  
16 the Secretary of Homeland Security specifies in  
17 the Federal Register notice required pursuant  
18 to subsection (a)(2).

19 (c) APPLICATION.—An entity that wants to partici-  
20 pate in the pilot program under subsection (a)(1) shall  
21 submit to the Secretary of Homeland Security an applica-  
22 tion at such time, in such manner, and containing such  
23 information as the Secretary may require.

1 (d) REQUIREMENTS.—In carrying out the pilot pro-  
2 gram under subsection (a)(1), the Secretary of Homeland  
3 Security shall—

4 (1) ensure that—

5 (A) not more than ten entities described in  
6 paragraph (1) of subsection (b) participate in  
7 the pilot program; and

8 (B) not more than ten entities described in  
9 paragraph (2) of such subsection participate in  
10 the pilot program;

11 (2) provide for the participation of each of such  
12 categories of entities on a voluntary basis; and

13 (3) continue the pilot program for a period of  
14 not less than one and not more than five years after  
15 the date on which the Secretary publishes the Fed-  
16 eral Register notice required pursuant to subsection  
17 (a)(2).

18 (e) REPORT REQUIRED.—Not later than 180 days  
19 after the termination of the pilot program under sub-  
20 section (d)(3), the Secretary of Homeland Security shall  
21 submit to the appropriate congressional committees a re-  
22 port on the findings of, and any recommendations arising  
23 from, the pilot program relating to the participation in  
24 CTPAT of entities described in subsection (b), including  
25 an assessment of participation by such entities.

1 **SEC. 3. REPORT ON EFFECTIVENESS OF CTPAT.**

2 (a) IN GENERAL.—Not later than 18 months after  
3 the date of the enactment of this Act, the Comptroller  
4 General of the United States shall submit to the appro-  
5 priate congressional committees a report assessing the ef-  
6 fectiveness of CTPAT.

7 (b) ELEMENTS.—The report required by subsection  
8 (a) shall include the following:

9 (1) An analysis of—

10 (A) security incidents in the United States  
11 cargo supply chain during the five-year period  
12 preceding submission of the report that involved  
13 criminal activity, including drug trafficking,  
14 human smuggling, or terrorist activity; and

15 (B) whether such incidents involved enti-  
16 ties participating in CTPAT or entities not par-  
17 ticipating in CTPAT.

18 (2) An analysis of causes for the suspension or  
19 removal of entities from participating in CTPAT as  
20 a result of security incidents during the five-year pe-  
21 riod referred to in paragraph (1).

22 (3) An analysis of the number of active CTPAT  
23 participants involved in one or more security inci-  
24 dents while maintaining their status as participants.

25 (4) An analysis of CTPAT's benefits for its  
26 participants.

1           (5) Recommendations, as appropriate, to the  
2           Commissioner of U.S. Customs and Border Protec-  
3           tion for improvements to CTPAT, including with re-  
4           spect to preventing security incidents in the United  
5           States cargo supply chain and enhancing CTPAT  
6           benefits for participants.

7 **SEC. 4. DEFINITIONS.**

8           In this Act:

9           (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
10          **TEES.**—The term “appropriate congressional com-  
11          mittees” means—

12                   (A) the Committee on Homeland Security  
13                   and Governmental Affairs and the Committee  
14                   on Finance of the Senate; and

15                   (B) the Committee on Homeland Security  
16                   and the Committee on Ways and Means of the  
17                   House of Representatives.

18          (2) **CTPAT.**—The term “CTPAT” means the  
19          Customs Trade Partnership Against Terrorism es-  
20          tablished under subtitle B of title II of the Security  
21          and Accountability for Every Port Act of 2006 (6  
22          U.S.C. 961 et seq.).