112TH CONGRESS 1ST SESSION

# S. 1974

## AN ACT

- To amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, 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,

### 1 SECTION 1. SHORT TITLE.

- 2 This Act may cited as the "Ultralight Aircraft Smug-
- 3 gling Prevention Act of 2011".
- 4 SEC. 2. CLARIFICATION OF DEFINITION OF AIRCRAFT AND
- 5 OFFENSES UNDER AVIATION SMUGGLING
- 6 PROVISIONS OF THE TARIFF ACT OF 1930.
- 7 (a) IN GENERAL.—Section 590 of the Tariff Act of
- 8 1930 (19 U.S.C. 1590) is amended—
- 9 (1) by redesignating subsection (g) as sub-
- section (h); and
- 11 (2) by inserting after subsection (f) the fol-
- lowing:
- 13 "(g) Definition of Aircraft.—In this section, the
- 14 term 'aircraft'—
- 15 "(1) has the meaning given that term in section
- 16 40102 of title 49, United States Code; and
- 17 "(2) includes a vehicle described in section
- 18 103.1 of title 14, Code of Federal Regulations.".
- 19 (b) Criminal Penalties.—Subsection (d) of section
- 20 590 of the Tariff Act of 1930 (19 U.S.C. 1590(d)) is
- 21 amended in the matter preceding paragraph (1) by insert-
- 22 ing ", or attempts or conspires to commit," after "com-
- 23 mits".
- (c) Effective Date.—The amendments made by
- 25 this section apply with respect to violations of any provi-

- 1 sion of section 590 of the Tariff Act of 1930 on or after
- 2 the 30th day after the date of the enactment of this Act.

### 3 SEC. 3. INTERAGENCY COLLABORATION.

- 4 (a) FINDINGS.—Congress makes the following find-5 ings:
- (1) The Department of Defense has worked collaboratively with the Department of Homeland Security to identify equipment, technology, and expertise used by the Department of Defense that could be leveraged by the Department of Homeland Security to help fulfill its missions.
  - (2) As part of that collaborative effort, the Department of Homeland Security has leveraged Department of Defense equipment, technology, and expertise to enhance the ability of U.S. Customs and Border Protection to detect, track, and engage illicit trafficking across the international borders between the United States and Mexico and the United States and Canada.
  - (3) Leveraging Department of Defense equipment, technology, and expertise is a cost-effective inter-agency approach to enhancing the effectiveness of the Department of Homeland Security to protect the United States against a variety of threats and risks.

1	(b) Sense of Congress.—It is the sense of Con-				
2	gress that the Secretary of Defense should—				
3	(1) continue the broad program of cooperation				
4	and collaboration with the Secretary of Homeland				
5	Security described in subsection (a); and				
6	(2) ensure that the Department of Homelan				
7	Security is able to identify equipment and tech-				
8	nology used by the Department of Defense that				
9	could also be used by U.S. Customs and Border Pro-				
10	tection to enhance its efforts to combat illicit traf-				
11	ficking across the international borders between the				
12	United States and Mexico and the United States				
13	and Canada, including equipment and technology				
14	that could be used to detect and track the illicit u				
15	of ultralight aircraft.				
	Passed the Senate December 8, 2011.				
	Attast				

Secretary.

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