

119TH CONGRESS
2D SESSION

S. _____

To ensure secure transport of Department of Defense freight, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To ensure secure transport of Department of Defense freight, 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 “Trucking Security and
5 CCP Disclosure Act of 2026”.

1 **SEC. 2. CERTIFICATION REQUIREMENT FOR MOTOR CAR-**
2 **RIERS TRANSPORTING DEPARTMENT OF DE-**
3 **FENSE FREIGHT.**

4 Chapter 157 of title 10, United States Code, is
5 amended by inserting after section 2631a the following
6 new section:

7 **“§ 2631b. Certification regarding affiliations with**
8 **Chinese military companies for surface**
9 **transportation contracts**

10 “(a) CERTIFICATION REQUIRED.—(1) No contract
11 for the transportation of cargo by motor carrier for the
12 Department of Defense (including contracts awarded by
13 the United States Transportation Command or the Mili-
14 tary Surface Deployment and Distribution Command)
15 may be awarded to, or performed by, any covered carrier
16 unless such covered carrier submits a certification de-
17 scribed in subsection (b).

18 “(2) The requirement under paragraph (1) shall
19 apply to prime contractors, subcontractors, and owner-op-
20 erators at all tiers.

21 “(b) CONTENTS OF CERTIFICATION.—A certification
22 under this section shall state that, to the best of the cov-
23 ered carrier’s knowledge after reasonable inquiry—

24 “(1) the covered carrier is not owned or con-
25 trolled by, and does not have significant business re-
26 lationships with, any entity identified on the most

1 recent list of Chinese military companies required
2 under section 1260H of the William M. (Mac)
3 Thornberry National Defense Authorization Act for
4 Fiscal Year 2021 (Public Law 116–283; 10 U.S.C.
5 113 note); and

6 “(2) the covered carrier will require the same
7 certification from any subcontractor or owner-oper-
8 ator it engages for performance of the contract.

9 “(c) FLOW-DOWN AND RECORDKEEPING.—Prime
10 contractors shall include the substance of this certification
11 requirement in all subcontracts and lease agreements for
12 Department of Defense freight transportation. Covered
13 carriers shall maintain records of certifications for not less
14 than 5 years.

15 “(d) PENALTIES.—Any covered carrier that know-
16 ingly provides a false certification under this section shall
17 be subject to suspension or debarment from Department
18 of Defense contracting and civil penalties under section
19 1001 of title 18.

20 “(e) IMPLEMENTATION.—The Secretary of Defense
21 shall prescribe regulations to implement this section not
22 later than 180 days after the date of the enactment of
23 this section, including integration into existing carrier ap-
24 proval processes of the Military Surface Deployment and
25 Distribution Command.

1 “(f) DEFINITIONS.—In this section:

2 “(1) COVERED CARRIER.—The term ‘covered
3 carrier’ means any motor carrier, subcontractor, or
4 owner-operator providing surface transportation
5 services.

6 “(2) SIGNIFICANT BUSINESS RELATIONSHIPS.—
7 The term ‘significant business relationships’ shall
8 have the meaning given by the Secretary of Defense
9 in regulations.”.

10 **SEC. ____ . ESTABLISHMENT OF NATIONAL SECURITY REG-**
11 **ISTRY FOR MOTOR CARRIERS HANDLING DE-**
12 **PARTMENT OF DEFENSE FREIGHT.**

13 (a) IN GENERAL.—Subtitle IV of title 49, United
14 States Code, is amended by inserting after chapter 139
15 the following:

16 **“CHAPTER 140—SECURE DEFENSE**
17 **FREIGHT CARRIER REGISTRY**

“14001. Definition of registry.

“14002. Establishment of registry.

“14003. Eligibility and approval.

“14004. Use of registry.

18 **“§ 14001. Definition of registry**

19 “In this chapter, the term ‘registry’ means the Secure
20 Defense Freight Carrier Registry established under sec-
21 tion 14002.

1 **“§ 14002. Establishment of registry**

2 “Not later than 1 year after the date of the enact-
3 ment of this chapter, the Secretary, acting through the
4 Administrator of the Federal Motor Carrier Safety Ad-
5 ministration and in coordination with the Secretary of De-
6 fense, shall establish and maintain a registry, to be known
7 as the ‘Secure Defense Freight Carrier Registry’, of motor
8 carriers approved to transport freight for the Department
9 of Defense.

10 **“§ 14003. Eligibility and approval**

11 “(a) ELIGIBILITY REQUIREMENTS.—To be included
12 in the registry, a motor carrier shall—

13 “(1) hold valid operating authority from the
14 Federal Motor Carrier Safety Administration;

15 “(2) meet all applicable Department of Defense
16 carrier qualification standards;

17 “(3) undergo enhanced national security vet-
18 ting, including—

19 “(A) screening for ownership, control, or
20 significant business relationships with—

21 “(i) an entity identified on the list
22 maintained by the Department of Defense
23 under section 1260H of the William M.
24 (Mac) Thornberry National Defense Au-
25 thorization Act for Fiscal Year 2021 (10
26 U.S.C. 113 note; Public Law 116–283); or

1 “(ii) any other foreign adversary enti-
2 ty designated by the Secretary of Defense;
3 and

4 “(B) verification that drivers and per-
5 sonnel with access to Department of Defense
6 freight meet security standards comparable to
7 those required under Transportation Worker
8 Identification Credential programs or other rel-
9 evant Federal security programs; and

10 “(4) submit to periodic revetting not less fre-
11 quently than once every 2 years.

12 “(b) APPLICATION AND APPROVAL PROCESS.—

13 “(1) IN GENERAL.—The Secretary shall estab-
14 lish a streamlined application process for inclusion
15 on the registry.

16 “(2) REQUIREMENT.—The process established
17 under paragraph (1) shall include coordination with
18 existing Department of Defense carrier approval sys-
19 tems.

20 “§ 14004. Use of registry

21 “(a) PROHIBITION.—Subject to subsection (b), begin-
22 ning 1 year after the date of the enactment of this chap-
23 ter, a motor carrier may not bid on or perform a Depart-
24 ment of Defense freight transportation contract unless the
25 motor carrier is included in the registry.

